1952 **K** **File No.** Est II Charity Comms | 52

Legal Dept.

C **BRANCH**

P-323 E

Subject:—

Leave and appointments of the staff of the office of the Charity Commissioner

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File No. Est II Charity Comms | 52

Gen. 194 e.

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31/1/52

Office of the Charity Commissioner.

Submitted.

2. The members of the establishment of the Charity Commissioner and the Deputy Charity Commissioner, Greater Bombay Region, Bombay, as per accompanying statement have reported for duty to this office from the various District Courts. These persons were drawing their pay in the mofussil scales as shown in column 4 of the statement. However the payscales sanctioned for the Charity Commissioner's office and for the office of the Deputy Charity Commissioner, Greater Bombay Region, Bombay, are the Bombay City scales. These persons have been appointed to the posts in city scales shown in column 8 of the statement and have joined the Charity Commissioner's Organization on the dates shown in column 9 of the statement. They will be on probation for a period of one year in the first instance. The initial pay in the Bombay City scales to which they will be entitled will have to be fixed by the Legal Department in consultation with the Finance Department. For such fixation of pay it will be necessary to ascertain details about their substantive pay, etc., from the service books. We have already requested the District Judges to forward their service books. So far we have received service books in respect of the following persons only:-

(1) Shri N. B. Surti.
(2) " V. K. Patwardhan.
(3) " A. B. Kamdo.
(4) " V. D. Kunte.
(5) " S. P. Chonkar.

3. It will take some time before we receive service books of all the persons. In the absence of Government orders relating to the fixation of initial pay, these persons would be actually getting less than what they were drawing before their transfer and absorption in the Charity Commissioner's Organization. As the scales sanctioned for the Charity Commissioner's establishment are city scales and are inclusive of the element of compensatory local allowance and house rent allowance, the members transferred from the mofussil courts are not in a position to draw any allowances which they were drawing either at Thana or Baroda. To quote an example it may be observed that Shri S. P. Chonkar's total emoluments at Thana were Rs 83/- (Rs73 plus. 10 C.L.A.), whereas in the absence of Government orders his pay has been fixed at Rs. 75/- i.e., the minimum of the time scale of Rs. 75-5-140-E.B.-6-200. It would therefore be desirable that we may approach Government for the fixation of pay in respect of those persons only whose service books have already been received by us.

4. The formula for fixation of pay from the mofussil scales of pay to pay in the City scales is to add 4/5th of the C.L.A. and House Rent Allowance admissible to the particular person, had he been appointedto a post in the mofussil scale in a Bombay office, with the next lower stage in the City Scale.

5. On the basis of the above formula the initial pays of Shri N. B. Surti and Shri S.P. Chonkar will have to be fixed as shown in column 10 of the statement. As regards Shri Chonkar, it may be noted that he has expressed a desire to go back to the District Court. The fixation of the initial pay of the following three persons requires special consideration:-

(a) Shri V.K. Patwardhan :- He is an Hons Graduate and his substantive pay is Rs 170/- in the scale of Rs. 100-8-140-10-170. He has been drawing Rs. 170/- p.m. for the last five years. He has been taken up as an Accountant in the Charity Commissioner's office. The duties entrusted to the Accountant are not only onerous and heavy but are of a very responsible nature. He has to handle securities, postal certificates and to deal with the Public Trusts Administration Fund Accounts. He is also responsible for the preparation of budget estimates for the entire Organization. The accounting procedure being new will have to be attended to in a careful and cautious manner. It will thus be clearly seen that the post of Accountant in the city scale of pay of Rs. 160-10-240 involves higher responsibilities than those attached to the post of a Naxir in the mofussil scale of Rs. 100-8-140-10-170. Shri Patwardhan's transfer from the post of a Naxir to the post of an Accountant is a sort of promotion. When a man is promoted to a higher post he is generally given the next higher stage. Shri Patwardhan has put in about 23 years'

service and with his qualifications and experience will prove useful to the Organization especially at the initial stage. It may be mentioned that we have separately moved Government to sanction 4 advance increments to one of the two Accountants in the Greater Bombay Regional office because of dearth of suitable and qualified hands. In view of all these considerations, we may sugest that his initial pay may be fixed at Rs. 210/- p.m. in the scale of 160-10-240 as a special case. B

(b) Shri A.B.Kanade :- His substantive pay in the mofussil scale of Rs. 100-8-140-10-170 was :. 170/-. The post of Bench Clerk in the office of the Deputy Charity Commissioner, Greater Bomba. Region, Bombay, which carries the city scale of Rs. 160-10-240, involves higher responsiblities and as such his initial pay may be fixed at Rs. 200/- in the scale of Rs. 160-10-240. C

(c) Shri V.D.Kunte :- His substantive pay in the mofussil scale of Rs. 100-8-140 is Rs. 140/- on the basis of the formula stated in para 4 above, his pay will have to be fixed at Rs.160/- plus Rs. 6/- per-sonal pay. In this connection, it may be noted that Shri Kunte has been officiating in the scale of Rs. 100-8-140-10-170 since October 1950 and would not have normally reverted. Moreover by the deputation of Messrs. Patwardhan and Kanade, he would have continued to officiate indefinitely in the ~~the~~ scale of Rs.100-8-140-10-170 and might have confirmed in due course. It is therefore suggested that his initial pay in the city scale D.

may be fixed at Rs. 180/- (Rs. 150 plus Rs. 8/- personal pay) in the scale of Rs. 100-10-240 on the basis of his officiating pay in the cofussil scale. In case, this is not agreed to, his pay may be fixed at Rs. 170/- at least on the ground that the post of Bench Clerk (Rs. 100-10-210) in the Charity Commissioner Office involves higher responsibilities than those attached to his substantive post of Shirastedar in the mofussil scale of -- Rs. 100-8-140

6. It may incidentally be mentioned that the expenditure on account of pay and allowances of the establishment of the Charity Commissioner's Orginization is not to be met out of the State Contingency Fund but is to be paid out of the Public Trusts Administration Fund.

7. These papers may now be passed on to the Legal Department for issue of requisite orders in consultation with the Finance Department. This reference may please be treated as immediate because of the fact that the Accountant General, Bombay, does not permit these persons to drawn their pays in the city scales unless Government orders are issued.

I agree

As at A B C & D in office note

I agree with A and B but not with C and D. Pays of Messrs Ranade and Dante should be fixed strictly according to formula.

13/6/50.

Legal Department.

S.I.P 3770
9-2-52

Submitted.

Necessary orders fixing pay of Shri Surti, Shri Patwardhan, Shri Kanade and Shri Kunte, may issue after showing H.O. these papers to the F.D.

U.S. to the F.D. No. 2251 date 12-2-52

Finance Department

The following remarks as offered on the proposal made by the L.D.

(i) Shri Surti & Shri Chonkar; The initial pay proposed (vide column 10 of the ~~national~~ statement) may be agreed to -

(ii) Shri Patwardhan ; Shri Patwardhan's substantive pay at the time of transfer is stated to be Rs. 170, and assuming that the new appointment does not carry higher responsibility his pay can be fixed at Rs. 100/- plus Rs.8/- personal pay as shown below;

Substantial pay Rs. 170 (mofussil)

4 of C.L.A. (Rs. 15) plus
5 plus H.R.A. (20) 33

Rs. 108 (City equivalent of the mofussil).

i.e.Rs. 100 + Rs. 8 personal pay to be absolved in future increment.

From the portion marked 'A' on page 3 ante it will be seen that the C.C. considers that post of Accountant in the scale of Rs 160-10-24, (City) carries higher responsibilities than the post of Nazir (Rs. 100-8-140-10-170) held by Shri P. previously. But, in the case of Shri Kanade who was also a substantive holder of a post carrying the scale of Rs. 100-8-140-10-17 and who has been appointed to a post in the s of Rs. 160-10-240 no such higher responsibilit are considered to be involved - vide C.C.'s note dated 8-2-1952. As, except for the two Govt. servants are appointed, the cases of both are identical, F.D. may suggest that the post of Accountant need not be deemed to be carryi higher responsibilities. Further as according to rules, and on the assumption that the post of Accountant does not carry higher responsib ies, Shri P. is entitled to a pay of Rs. 190 & p.p. to be absorbed in future increment, F.D. may suggest that he may be allowed that pay o

(iii) Shri Kanade : As in the case of Shri Patwardhan, Shri K's pay may also be fixed at Rs. 190 & Rs. 8 personal pay to be absorbed in future increment.

(iv) Shri Kunte : Shri Kunte's pay may be fi at Rs. 160/- plus Rs. 26 personal pay to be absorbed in future increment as shown below.

Substantive pay Rs. 140 (mofussil)
4/5th of c.l.a. (Rs. 12½)) Rs. 26
h.r.a. (Rs. 20))
Rs. 166 (City equiv

i.e. Rs. 160 + Rs. 6

Sd/-

submitted.

2. Please see the decision of the F.D. overleaf.

3. Before issue of orders these papers may be shown N.S. to the Charity Commissioner for remarks, if any.

U.R. to the Charity Commissioner No. 4004.
15-3-1952.

Office of the C.C.

Submitted with ref. to this office note dated 8-2-1952, the F.D. note dated 4-3-1953, and the foregoing L.D. note.

2. In the circumstances explained by the F.D., the fixation of initial pay as suggested by that dept. may be accepted. The h.d. may issue orders in terms of the L.D. advice. It may be mentioned here that the question of fixation of pay of Shri Patwardhan at a higher stage will be taken up later on.

3. The papers may be returned to the L.D. with the above remarks.

As proposed. A may be done immediately. C.C. & L.D.

STATEMENT

S.No.	Name	Designation under the Dist. Court Establishment.	Pay-scale under the Dist. Court Estt.	Substantive Pay.	Offg. Pay, if any & Payscale in the Dist. Court.	Post to which appointed in the Charity Commr's Orgn.	Payscale (City) under the Charity Commr.	Date of joining the Charity Commr's Orgn.	Initial Pay proposed.
1	2	3	4	5	6	7	8	9	10
1.	Shri N. B. Surati.	Clerk of the Court, Baroda.	Rs. 160-10-230.	Rs. 230		Superintendent.	Rs. 300-20-500	28-1-1952.	Rs. 300/-
2.	" V. K. Patwardhan.	Nazir, Dist. Court, Thana.	100-8-140--10-170	170		Accountant.	160-10-240	2-1-1952.	210/-
3.	" V. D. Kunte.	Shirastedar, Dist. Court, Thana.	100-8-140.	140	160 in the scale of Rs.100-8-140--10-170.	Judicial Clerk.	--do--	16-1-1952	180 plus 8 P.P. or 170/
4.	" S. P. Chonkar.	Jr.Clerk, D. C. Thana.	46-3-85-EB--4-125-5-130.	73	103 in the scale of Rs.100-8-140.	Jr. Clerk.	75-5-140-EB--6-230.	2-1-1952.	90 plus 3 P.P.
5.	" V. R. Kale.	Service books yet to be received.				Stenographer.	140-8-220--10-270.	21-1-1952.	
6.	" C. R. Sontakke.					Jr. Clerk.	75-5-140-EB--6-200.	2-1-1952.	
7.	" B. G. Sawant.					Jr. Clerk.	--do--	yet to join.	
8.	" A. H. Kulkarni.					Typist.	--do--	7-1-1952.	
1.	Shri A. B. Kanade.	Bench Clerk, D.C., Thana.	100-8-140--10-170.	170		Bench Clerk.	160-10-240.	2-1-1952.	200/-
2.	" V. T. Pradhan.					--do--	--do--	2-1-1952.	
3.	" M. S. Hankar.	Service books yet to be received.				Inspector.	--do--	21-1-1952.	

KAN/30/7.
4 c.

No. 5195 11

Legal Department,
Bombay Castle (Bombay No.1),
5th April 1952.

Subject:- Fixation of initial pay of staff absorbed in the office of the Charity Commissioner Bombay form District Courts in mofussil.

MEMORANDUM.

The under signed presents compliments to the Accountant General, Bombay and is directed to convey the sanction of Government to the fixation of initil initial pay as shown in column 4 of the statement below of the persons specified in column 1 from District Courts in the mofussil who has been absorbed in the posts shown against them in the pay scale as shown in Commissioner, Bombay or in the office of the Deputy Charity Commissioner, Grater Bombay Region Bombay, as the case may be.

Name.	Designation of the post held	Pay scale of the post.	Initial pay fixed and the date thereof.
1	2	3	4
I. Shri N.B. Surti.	Superintendent (Ch. Comnr.)	Rs. 300-20-500	Rs.300/-p.m. from 28th Jan. 1952.
II. Shri S.P. Chonkar.	Junior clerk (Ch. Commr.)	Rs. 75-5-140 E.B. -6-200	Rs. 90/- p.m. plus Rs.3/- p.m. as personal pay from 2nd Jan.1952
III. Shri V.K. Patwardhan.	Accountant (Ch.Commr.)	Rs. 160-10-240	Rs.190/-p.m. plus Rs.8/- p.m. as personal pay from 2nd Jan.1952.
IV. Shri A.B. Kanade.	Bench Clerk (Dy.Ch.Commr. Greater Bombay Region).	Rs.160-10-240	Rs.190/-p.m. plus Rs. 6/- p.m. as personal pay from 2nd Jan.1952
V. Shri V. P. Kunte.	Judicial Clerk (Ch. Commr.)	Rs.160-10-240	Rs.160/-p.m. plus Rs. 6/- p.m. as personal pay from 10th

x Sd/ As. to Govt.

To
The A. G. Bombay,
(thr. F.D).

(X)

Office of the Charity Commissioner,

Submitted with reference to C.C's remarks dated 24-3-1952. Please see Govt. Memo, Legal Department, No. 5195, dated 5-4-1952, wherein the initial pay of Shri V.K.Patwardhan has inter alia been fixed at Rs.100/- plus Rs.8/- (personal pay) with effect from 2-1-1952, the date on which Shri Patwardhan joined this office. It is however necessary that Shri Patwardhan's case should be re-considered in the light of the following grounds;

2. It may be noted that although the pay-scales attached to the posts of Accountant and Bench Clerk are indentical viz., 160-10-240 the nature of duties attached to the former post is certainly higher and more responsible.

3. The qualifications recommended by this office for the post of an Accountant are as follows;

(a) Candidates who have passed final B.A. Examination held under the Auditors' Certificates Rules, 1932, or have passed the Final Examination held by the Council of the Institute of Chartered Accountants of India, or possess a Second Class degree in Commerce of a recognised University with Accountancy as a principal Subject; or

(b) possess a degree in Commerce of a recognised university with Accountancy as a principal subject and have at least three years' accountancy experience in a Govt. or Semi-Govt. office; or

(c) are persons with long experience and proved merit and efficiency in accountancy work either in commercial firms or Government or semi-Government offices;

So far as the post of Bench Clerk is concerned, the qualification recommended is that the candidate should possess a 2nd class degree in Law or Commerce of a recognised University. It is thus clear that the qualifications required for the

required for the Accountant's post are higher than those for the post of a Bench Clerk.

4. The fact that the pay-scales are indentical need not necessarily be taken to mean that the responsiblities attached to both the posts are equal. Out of the three posts of Accountants (One in the Head Office and two in the Greater Bombay Region Office), one is yet to be filled whereas both the posts of Bench Clerks in the Greater Bombay Region office have been filled which would indicate that there is a dearth of candidates with requisite qualifications for the post of an Accountant.

5. The case of Shri Patwardhan is recommended for fixation at a higher stage, viz., Rs. 210/- on the following grounds and it may may not be out of place to mention that it is Shri Patwardhan's case alone that has been recommended for special consideration.

(1) Shri Patwardhan is a Graduate with Honours and has passed his 1st LL.B. and had even appeared for the 2nd LL.B.

(2) The services of Shri Patwardhan have already been of great use to the Organization, in the matter of accounts and they have become practically indispensable to this office. The accounts work being now is required to be kept in an upto-date manner and instructions about the keeping of accounts in a uniform manner are required to be given to the regional offices. Shri Patwardhan with his long experience in the Judicial Department shall be an asset to this Organization.

(3) As a matter of fact this office desired to propose that Shri Patwardhan's pay should be fixed at Rs.320/- but due to the present financial position it was proposed that the initial pay should be fixed at Rs.210/- p.m. which is a very modest suggestion.

6. Under these circumstances, it is strongly recommended that Shri Patwardhan's pay should be fixed at Rs.210/- from 2-1-1952. Incidentally it may be mentioned that the small extra cost involved in the above proposal will not be a tax on the State Contingency Fund but the same will be met from the P.T.A. Fund. Even the pension contribution and leave charges are to be re-imbursed to Government from the P.T.A. Fund itself.

7. These papers may be referred U.O. to the Legal Department with a request to attach this note to the main papers and to forward the same to Finance Department for re-consideration and re-fixation of Shri Patwardhan's initial pay.

E.O.

D. of A.

C.C.

L.D.T.

Legal Department.
R.I.No. 7626
17-4-52.

Submitted with pp.

As suggested by the Charity Commissioner, these papers may be referred U.O. to the F.D. for reconsideration and refixation of initial pay of Shri Patwardhan

Suptd.

U.R. to the F.D., No.6013 / 21-4-1952

Finance Deptt.VIII.

Submitted with reference to this Deptt. note dt. 4-3-52.

2. Pl. seethe foregoing note of the office of the Charity Commissioner dt. 4-3-'52. While, however, contending for the reasons given in para.3 and 4 of its o.n. that the responsibilities of the post of Accountant are higher than those of Bench Clerk, that office has reiterated its original proposal to fix the pay of Shri Patwardhan at Rs.210/- p.m. It may be pointed out in this context that the payscale of a post is fixed with ref. to (1) duties and responsibilities attached to the post, 2) minimum qualifications expected of the incumbent for proper discharge of the duties and responsibilities of the post, and 3) the payscales sanctioned for corresponding or comparable posts in other Deptts. This being the case, it would prima facie, be

illogical, to contend that the responsibilities of the post of Accountant are higher than those of the post of Bench Clerk when the pay scales sanctioned for both the posts are identical. As, in the case of Shri Kanade that office has agreed and issued orders, as suggested by this Deptt., according to the rules and on the assumption that his apptmt. to the post of Bench Clerk does not involve assumption of responsibilities higher than those of his original post viz. that of Nazir, there would be no justification for making any departure from the stand previously taken in respect of fixation of pay, on the basis of 'A' of Shri Patwardhan, as well.

But a perusal of the pps. within reveals that the case of Shri Patwardhan is not altogether devoid of considerations that seem to weigh in favour of the proposed fixation of his pay at Rs.210/- p.m. Firstly, the services of Shri P. have come to be considered as indispensable in the initial stage of the recently formed organisation, he with his long experience of 23 years in the Judl. Deptt. being an 'asset' to it. Secondly, he is stated to have been stagnating on the maximum of the scale of Nazir, viz. Rs.170/- p.m., for five years prior to his appointment to the post of Accountant. Lastly, there is dearth of suitable and qualified Accountants. In view of these considerations there would seem to be no objection to his being given under the provisions of B.C.S.R. 51, a little over one advance increment over and above what is strictly speaking admissible to him, viz. Rs.210/- p.m. in all. The proposal, is, which in effect, means giving Rs.12/- more than what he is entitled to. Viz. Rs.198/-p.m.

owever, for orders.

I do not think there is any case for fixing pay higher than Rs.198 p.m. If Shri P. had done some extra work when the Deptt. was newly organised, that can be rewarded not by increasing his permanent emoluments but by giving a small honorarium or special pay for a limited period. But for the grant of such remuneration strong reasons must exist. In any case, permanent pay is fixed only in accordance with the rules & these do not justify any higher starting pay.

In the special circumstances this case (X at page), & as the Charity Comm. is greatly impressed with Shri P's work, I would agree to the fixation of pay at Rs.210 provided a similar claim is not advanced on behalf of any other office.

U.R. to L.D. /1-5-52.

No. 7342 19

Legal Department,
Bombay Castle (Bombay No.1), 9th May 1952.

Subject:- Fixation of initial pay of staff absorbed in the office of the Charity Commissioner Bombay from District Courts in moffusil.

MEMORANDUM.

The Undersigned presents compliments to the Accountant General, Bombay and in modification of Government Memorandum, Legal Department No. 5195, dated the 5th April 1952 is directed to convey the sanction of Government to the refixation of the initial pay of Shri V.K.Patwardhan at Rs.210/- p.m. with effect from 2nd January 1952.

By order of the Governor of Bombay,

Assistant Secretary to Government.

To
The Accountant General, Bombay (through the Finance Department

copy to

The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner,
The Greater Bombay region, Bombay.

BM.
8.5.

No. 10528
Legal Department.
Bombay Castle (Bombay No.1),
26th June 1952.

To

The Accountant General,
Bombay.

Subject:- Fixation of pay of staff absorbed in the office of the Charity Commissioner, Bombay from District Courts in Mofussil.

Sir,

With reference to your letter No. DAIII/Prosy/ 792, dated the 10th June 1952 on the above subject I am directed to state that the pay has been fixed in accordance with the formula for the fixation of any from the mofussil scales of pay to pay in the City scale i.e. to add 4/5 of the Compensatory Local Allowance and House Rent Allowance admissible to the particular person, had he been appointed to a post in the mofussil scale in Bombay Office with the next lower stage in the City scale.

2. Necessary information as regards designation, original pay etc. of the persons mentioned in the Government memorandum Legal Department No. 5195, dated the 5th April 1952 is shown in the statement appended herewith. I am to add that Shri Patwardhan's pay has been fixed at Rs.210/- p.m. form 2nd January 1952 as a special case in consultation with the Finance Department (vide Government Memorandum, Legal Department No. 7342 dated the 9th May 1952).

Yours faithfully,

Assistant Secretary to Government.

S.No.	Name	Designation under the Dist.Court Establishment.	Pay-scale under the Dist. Court Estt.	Substantive pay	Offg. pay if any and Pay scale in the Dist. Court.
1	2	3	4	5	6
1	Shri N.B.Curti.	Clerk of the Court, Baroda.	160-10-230	230	
2.	" V.K.Patwardhan	Nazir, Dist. Court,Thana.	100-8-140-10-170	170	
3.	" V.D.Kunte.	Shirastedar, Dist.Court,Thana	100-8-140	140	160 in the scale of Rs.100-8-140-10-170.
4.	" S.P.Chonkar	Jr.Clerk D.C.Thana.	46-3-85 EB-4-125-5-130	73	108 in the scale of Rs.100-8-140.
5.	" A.B.Khanade	Bench clerk D.C.Thana	100-8-140-10-170	170	-

KAN/30-7.
4 c.

No. 16500/G

Legal Department,

Bombay Castle (Bombay No.1), 8th October 1952.

To

The Accountant General,
Bombay.

Subject:- Fixation of initial pay of staff absorbed in the office of the Charity Commissioner, Bombay.

Sir,

With reference to the correspondence ending with your letter No. DAIII/Presy/1452, dated the 15th July 1952 on the above subject, I am directed to state that so far as the rule under which the pay of the personnel in question was fixed, the point was clarified by the Finance Department on a similiar reference form you vide your letter No. D.A.III presy-1454, dated the 11th July 1952 in its u.o.r. dated the 14th August 1952 and accepted by you under your u.o.r. to Finance Department No. DAIII Presy /2377, dated the 19th September 1952. A copy of the proceedings in respect of the fixation of the initial pay of Shri V.K.Patwardhan at Rs. 210/- is forwarded herewith as desired.

Yours faithfully,

Assistant Secretary to Government.

SSM
14/6/56.

No. D.A.III/Pres./6971.

Bombay, March 1953.

From

THE ACCOUNTANT GENERAL,

BOMBAY.

To

The Assistant Secretary to Govt.,
Legal Department, Bombay.

Subject. Fixation of initial pay of Shri V.K. Patwardhan absorbed in the office of the Charity Commissioner, Bombay.

Sir,

With reference to your No.16500/C dt. 8-10-52 on the subject mentioned above, I am to state as follows:-

The exact rule under which his pay has been fixed at Rs.210/- has not been indicated in Govt.Memo. Legal Department, No.7342 dt. 9-5-52. The same may pleased be stated now.

In this connection, I am also to state that the acceptance of pay fixation of staff under this office U.O.R. to Finance Department No. D.A. III/Presy/2477 dt. 19-9-52, does not include fixation of pay of Shri Patwardhan.

Sd/-

Asstt. Accounts Officer,

KAN/30/7.
4 c.

No. 6063/C

Legal Department,
Bombay Castle (Bombay No. 1), 31st March 1953.

To

The Accountant General,
Bombay,

Subject:- Fixation of initial pay of Shri V.K. Patwardhan absorbed in the office of the Charity, Commissioner, Bombay.

Sir,

With reference to your letter No. D.A.III/Pres./6971 dated the 4th March 1953, on the above subject, I am directed to inform you that Shri V.K. Patwardhan's pay has been fixed at Rs. 210/- p.m. under Rule 51 of the Bombay Civil Services Rules.

Yours faithfully,

Sd/-

Assistant Secretary to Government.

KAN/30/7.
4 o.

No.5857

Legal Department,
Bombay Castle (Bombay No.1), 18th April 1952.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the continuance of the temporary post of Superintendent, (Accounts) upto 31st March 1953 in the office of the Charity Commissioner, Bombay, which was sanctioned under the Government Memorandum, Legal Department No. 2587, dated the 16th February 1951, and continued from time to time under Government Memoranda, Legal Department Nos. 5508, 5949, 10780, 16600 and 20755, dated the 5th and 13th April, 9th July, 18th October, 1951 and 20th December 1952, respectively.

The expenditure for the current year should be met from this year's sanctioned grant under "25 General Administration- C-Secretariat and Headquarters Establishment - F-Civil Secretariat-K K- 7(a) -Charity Commissioner".

By order of the Governor of Bombay.

Sd/- S.V. Dyaneshwar
18/4/52

Assistant Secretary to Government.

To

The Accountant General,
Bombay (through the Finance Department).

Copy to

The Finance Department,

The Charity Commissioner.

KAN/3077.
4 c.

Office of the Charity Commissioner.

It is proposed to take over the work relating to Charitable endowments from the office of the Accountant General, Bombay, shortly. This work is not only new to my office but of a responsible nature involving the handling and safe cutody of securities of the value of about 2½ crores. I would therefore suggest that Shri Chinoy, the clerk in the Accountant General's office, who is attending to this work, may be brought on deputation to my office for a period of 3 months and he may be given some deputation allowance. Shri Chinoy is at present drawing Rs.230/- in the scale of Rs.60-8-140-6-230 (mofussil scale) plus a special pay of Rs.15 per month plus compensatory local allowance and house rent allowance as admissible to Govt. of India servants. He may be given a deputation allowance of 20 per cent of pay in addition to his present emoluments. During his deputation, steps will be taken to train one of the clerks in my office for th work in question. It may be mentioned here the one of the posts of junior clerks sanctioned will be kept unfilled during Shri Chinoy's deputation. It is pertinent to point out that with the transfer of High Court section from the Accountant General, Bombay, to the High Court, Government has not only sanctioned some additional staff but has also agreed to allow

1 Superintendent and 1 clerk from Accountant General's office to be brought on deputation to the High Court.

In the circumstances, a post of a junior clerk in the mofussil pay scale of Rs.60-3-140-6-230 plus a special pay of Rs.15 per month plus deputation allowance of 20% of pay may be created with effect from the date on which Shri Chinoy joins this organisation, for a period of three months. The little extra cost during the current year will be met from the sanctioned grants. The extra expenditure, if any, during the next year will be met from the P.T.A. Fund and not from the State Contingency Fund. After the proposal is approved by the F.D., steps will be taken to obtain the services of Shri Chinoy on loan from the Accountant General, Bombay.

Sd/- D.R. Pradhan
27/12/51

Charity Commissioner.

Id/- J.R.D.
27/12

Secy. L.D.

No.20578 dt.27-12-'51,

Id/-

Secy. F.D.

KAN/30-7..4 c.

No. 990

Legal Department,
Bombay Castle (Bombay No.1) 22nd January 1952.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the creation of a temporary post of a clerk in the Office of the Charity Commissioner, Bombay, on Rs.230/- p.m. in the mofussil pay scale of Rs.60-8-140-8-230 plus a special pay of Rs.15/- plus 20% deputation allowance on Rs.230/- plus compensatory, House rent and Dearness allowance admissible, for a period of three months from the date of actual appointment.

2. The expenditure for the current year should be met from this year's sanctioned grant under "25-General Administration - C- Secretariat and Headquarters Establishment - K- Civil Secretariat-K.7(a)-Charity Commissioner". The expenditure for the next financial year will be met from the Public Trusts Administration Fund.

By order of the Governor of Bombay,

Sd/- E.P. Bhangara

Assistant Secretary to Government.

To

The Accountant General,

Bombay, (through the Finance Department).

Copy to:-

The Finance Department,

The Charity Commissioner, Bombay.-

No. D.A.III/Prosy/3716

Bombay, 27th Feb. 1952.

From

THE ACCOUNTANT GENERAL,

BOMBAY.

To

The Asstt. Secretary to Govt.,
Legal Dept.

Sub:-1) Creation or temporary post of clerk in the Office of the Charity- Commissioner G.M.L.D. No.990 dt. 22-1-1952.

2) Purchase of Law books for offices of the Charity Commissioners Office G.M.L.D. No.1654 dt.1-2-195

...

The date of appointment of the clerk may please be communicated.

(2) The head of account to which the expenditure - purchase of books has to be debited has not been mentioned. It is not known what the "extra charge" referred to by you in para 2 of the Memorandum is. This may please be elucidated.

Sd/-

ASSTT. ACCOUNTANT GENERAL.

KAH/30/7.
4 c.l.

Legal Deptt.

R.I. No.4319
29-2-52.

Submitted.

2. The A.G. Bombay wants to know the date of appointment of the clerk the post of which was created by G.M.L.D. No.990, d/- 22-1-52 and also wants to know the head to which the expenditure for purchase of law books for offices of the Charity Commissioner 's office (vide G.M.L.D. No.1654, d/- 1-2-52) has to be debited.

3. The post of clerk sanctioned by G.M.L.D. No.990, d/ 22-1-52 is the post in which it is proposed to take up Shri Chinoy, a clerk in the A.G.'s office who was attending to Charitable endowment work, on deputation to the office of the Charity Commissioner. It is for the Charity Commissioner to communicate to the A.G. Bombay the date on which Shri Chinoy should join his office. The Charity Commissioner, may therefore be requested U.O. to state the date on which Shri Chinoy is being taken up in his office. He may at the same time be requested to forward the papers regarding purchase of law books for offices under his control which were loaned to his office sometimes back.

Sd/- S.W.
1/3

Supdt. Id/-
3/3/52

A. S. (Adm). Sd/- S.W. Dhurandhar
4/3/52

U.R. to the Charity Commissioner No.3529/ dt. 5-3-'52.

KAN/30-7.
4 c.

No.4417
Legal Department,
Bombay Castle (Bombay No.1) 24th March 1952.

To

The Accountant General, Bombay.

Subject:-1) Creation of temporary post of clerk in the office of the Charity Commissioner (G.M.L.D.No. 990, dt. 22-1-52).

2) Purchase of Law Books for offices of the Charity Commissioner's offi[illegible] (G.M.L.D.No.1654, dt.1-2-52.)

Sir,

With reference to your letter No. DA III/Presy./3766, ...ted the 27th February 1952, on the above subject, I am directed to state that the appointment of the clerk has not yet been made. It will be made as soon as the ministerial work relating to charitable endowment is taken over by the Charity Commissioner from your office. The exact date will be intimated to you in due course.

2. As regards the head to which the expenditure for purchase of Law Books should be debited, I am to state that this is more or less a non-recurring item of expenditure and there is no provision made in the budget for this purpose. It is therefore proposed to meet the expenditure from the accumulated balances in the various Administration Funds now transferred to the Charity Commissioner.

The expression 'extra charge' referred to the ~~ex~~ expenses to be incurred for purchase of law books. As no budget provision is made for this expenditure, it was termed as 'extra' i.e. over and above the budget provision.

Yours faithfully,

Sd/- S.W. Dhurandhar
22/3/52.

KAN/30-7..
4 c.

No.644 of 1952,
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
24th March 1952.

From

Shri D.R. Pradhan, I.C.S.,
Charity Commissioner, Bombay.

To

The Accountant General,
New Queens Road, Bombay.

Sir,

In continuation of my letter No. 365, dated the 16th February 1952, I have the honour to state that I shall take over the ministerial work relating to my functions as the Treasurer of Charitable Endowments from 1st April 1952. It is therefore requested that the services of Shri Chinoy from your office may be made available to me from that date. He will be appointed to the temporary post of a clerk on the terms sanctioned in Government Memorandum, Legal Department, No. 990, dated the 22nd January 1952.

Yours faithfully,

Sd/- D.R. Pradhan
24/3/52
Charity Commissioner.

Copy forwarded with compliments to the Secretary to Government, Legal Department, Bombay, for information.

2. It is pointed out that the payscale mentioned in Government Memorandum, Legal Department, No.990, dated the 22nd January 1952, requires to be slightly modified. The correct payscale of the temporary post should be Rs.60-8-140-6-230 and not Rs.60-8-140-8-230. The Government Memorandum may please be corrected accordingly.

KAN/30-7.
4 c.

No.4991
Legal Department,
Bombay Castle (Bombay No.1), 1st April 1952

ERRATUM.

In line 5 of the Government Memorandum, Legal Department, No.990, dated the 22nd January 1952 for the words, letters and figures "mofussil pay scale of Rs. 60-8-140-8-230" substitute the words, letters and figures "mofussil pay scale of Rs. 60-8-140-8-230".

By order of the Governor of Bombay,

Sd/- S.W. Dhurandhar
1/4/52

Assistant Secretary to Government.

To

The Accountant General, Bombay.

Copy to
The Finance Department,
The Charity Commissioner, Bombay.

KAN/30-7.
4 c.

No.12377

Legal Department,
Bombay Castle (Bombay H.1), 26th July 1952.

To

The Accountant General, Bombay
(through the Finance Department).

Subject: Creation of temporary post of clerk in the office of the Charity Commissioner.

Sir,

With reference to your letter No. DA III/927, dated the 13th June 1952 on the above subject, I am directed to forward herewith a copy of Erratum No.4991, dated the 1st April 1952 through the Finance Department as desired.

2. As regards paragraph 2 of your letter under reference I am to invite your attention to this Department letter No.4417, dated the 24th March 1952. I am to add that Shri N.B.Chinoy, the clerk who was deputed by the Accountant General, Bombay, joined in the Charity Commissioner's Office on 8th May 1952.

3. Since the Accountant General, Bombay, desires that the copy of the erratum should also be sent through the Finance Department (extract of A.G's letter enclosed), that Department is requested to endorse the said copy of the erratum and forward the same to the Accountant General, Bombay, along with the letter.

Yours faithfully,

Sd/- E. P. Bhangara

Assistant Secretary to Government.

KAN/30-7.
4 c.

No. 4991.
Legal Department,
Bombay Castle (Bombay No.1) 1st April 1952.

ERRATUM.

In line 5 of the Government Memorandum, Legal Department, No.990, dated the 22nd January for the words, letters and figures "mofussil pay scale of Rs. 60-8-140-8-230" substitute the words, letters and figures "mofussil pay scale of Rs.60-8-140-8-230".

By order of the Governor of Bombay,

Sd/- S.W. Dhurandhar,

Assistant Secretary to Government.

To

The Accountant General, Bombay,

Copy to
The Finance Department,
The Charity Commissioner, Bombay.

Necessary extract from the Accountant General's Office letter No.DAIII/927 dated the 13th June 1952.

" A copy of the Erratum No.4991 dated 1-4-52 to the Legal Department memo. No.990 dt. 22-1-52 may kindly be caused to be transmitted to this office through the Finance Department as the original memo was endorsed by the F.D."

x x x

KAH/30-7.
4 c.

No.1828 of 1952.
Office of the Charity Commissioner,
Bank of India Building, 4th floor,
Flora Fountain, Fort. Bombay No.1.
Dated:- 25th June 1952.

From

Shri D. R. Pradhan, I.C.S.,
Charity Commissioner,
Bombay,

To

The Secretary to Government,
Legal Department,
Bombay.

Sir,

With reference G. M., L. D. No. 900, dated 22nd January 1952, creating a temporary post of junior clerk in this office for a period of three months from the date of actual appointment.

2. I have the honour to state that Shri M. B. Chinoy, a clerk in the Accountant General's Office, was deputed to this office on 6th May 1952. He has proceeded on leave on average pay for two months on medical grounds with effect from 26th May 1952. The Accountant General, Bombay, who was requested to give a substitute in place of Shri Chinoy, has expressed his inability to spare a substitute clerk.

3. In the circumstances, the post of a junior clerk sanctioned in the G. M. referred to in para 1 above, may be treated as abolished with effect from 26th May 1952.

Yours faithfully,

Sd/- R.D. Pradhan
23/6/52
Charity Commissioner,
Bombay.

KAR/30/7.
4 c.

Office of the Charity Commissioner

Submitted with reference to Government Memorandum, Legal Department, No. 5195, dated 5th April 1952, relating to the fixation of initial pay of staff absorbed in the Charity Commissioner's Office and in the Office of the Deputy Charity Commissioner, Greater Bombay Region, Bombay, from District Courts in the mofussil. Under the Govt. Memo. referred to above, the initial pay of five persons only has been fixed as the service books of these persons had only been received then. It is now necessary to fix the initial pays of other persons absorbed in the Charity Commissioner's Organization from the District Courts. The service books of these persons have since been received in this office. The question of fixation of the initial pay of the following persons is now proposed to be taken up:-

(1) Shri V. R. Kale.

(2) " C. R. Sontakke.

(3) " M. C. Sawant.

(4) " V. T. Pradhan.

(5) " M. S. Mankar.

2. The above persons were drawing their pay in the mofussil scales as shown in col. 4 of the statement. The payscales sanctioned for the Charity Commissioner's Office and for the Office of the Deputy Charity Commissioner, Greater Bombay Region, Bombay, are the Bombay

City Scales. They have been appointed to the posts in the city scales shown in col. 8 of the statement and have joined the Charity Commissioner's Organization on the dates shown in col. 9 of the statement. They will be on probation for a period of one year in the first instance. The initial pay in the Bombay City Scales to which they will be entitled, will have to be fixed by the Legal Department in consultation with the Finance Department.

3. The formula for the fixation of pay from the mofussil scales of pay to pay in the city scales is to add 4/5th of the C.L.A. and H.R.A. admissible to the particular person, had he been appointed to a post in the mofussil scale in a Bombay Office, with the next lower stage in the city scale.

4. On the basis of the above formula the initial pays of the persons will have to be fixed as shown in col. 10 of the statement. It is presumed that in the case of Messrs. Sontakke and Sawant, the dates of their increment in the city scales will be the same as in the mofussil scale as they have been taken up as junior clerks only. It may incidentally be mentioned that the expenditure on account of pay and allowances of the establishment of the Charity Commissioner's Organization is not to be

met out of the State Contigency Fund, but is to be paid out of the Public Trusts Administration Fund. With this fixation, the only case remaining will be that of Shri A.N.Kulkarni who has been absorbed as a typist in this office from the Satara North District Court. His pay in the mofussil scale is yet to be fixed and his service book has also not been received. After the receipt of his service book and the information in respect of his pay in the mofussil scale. his case will be taken up.

5. These papers may be passed on to the Legal Department for issue of requisite orders in consultation with the Finance Department.

Id/-
22/4/52

E.O. The pays shown in Col. 10 of Statements have been fixed according to formula.

Id/- J.D.
23/4

C.C. Id/- R.D. Pradhan
23/4

No. 1023 dated 23/4/52 L.D.

Legal Department.
R.I. No.8197
24-4-52.

Submitted.

2. Necessary orders fixing the pay of 5 persons in the Charity Commissioner's Office will be issued after the F.D. has approved the above

P.T.O.

proposals.

Id/- S.W.
24-4

Supdt. Id/-
24-4-52

A.S.(Adm.) Id/- S.W.Dhurandhar
24-4-52

U.R. to the F.D. No.6382 dt. 25-4-52.

Finance Deptt.
VIII

The fixation of initial pay of various persons, as proposed in Col. 10 of the Statement on p. 5 post is in order and may be agreed to.

Id/-
5-5-52 Id/- D.S(S)
6-5-52

U.O.R. to L.D. dt. 6-5-52.

Submitted

The F.D. having agreed to the Fixation ~~agreed~~ of initial pay as suggested by the Office of the Charity Commr. The necessary memo to the A.G. B'bay (p.7 post) may now be issued.

Id/-
13/5

S.S. Id/-
13-5-52

A.S.(Adm) Id/- S.W. Dhurandhar
14-5-52

KAN/31-7.
4 c.

S T A T E M E N T.

S. No.	Name	Designation under the Dist. Court Establishment.	Pay-scale under the District Court Estt.	Substantive Pay.	Offg. Pay, if any, & Payscale in the Dist. Ct.	Post to which appointed in the Charity Commr's Orgn.	Payscale (City) under the charity Commr's Orgn.	Date of joining the Charity Commr's Orgn.	Initial pay proposed.
1.	2	3	4	5	6	7	8	9	10
1.	Shri V.R.Kale.	Jr.Clerk, A'nagar Dist.	46-3-85-EB-4-125-5-130.	76	115 in the scale of 100-5-125-6-185-8-225.	Stenographer	140-8-200-10-270.	21-1-1952	140
2.	" C.R.Sontakke.	Clerk, Civil Court, Mahad, Dist.Kolaba.	--do--	70	-	Jr.Clerk.	75-5-140-EB-6-200.	2-1-1952	90
3.	" M.G.Sawant.	Clerk, Civil Court, Rajapur, Dist.Ratnagiri.	--do--	73	-	--do--	--do--	7-2-1952.	90 plus 3 personal pay
4.	" V.T. Pradhan.	Jr.Clerk, Dist.Kolaba.	46-3-85-EB-4-125-5-130.	109	140 in the scale of Rs.100-8-140.	Judicial Clerk.	160-10-240.	2-1-1952.	160
5.	" M.S.Kankan.	Bench Clerk, Dist.Court, Ahmednagar.	100-8-140.	140	-	Inspector.	160-10-240.	21-1-1952.	160 plus 6 personal pay

Mah
4 c

No. 8088
Legal Department,
Bombay Castle(Bombay No.1)nl5th May 1952.

Subject: Fixation of initial pay of staff absorbed in the office of the Charity Commissioner, Bombay, from Dist. Courts in mofussil.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay and is directs to convey the sanction of Government to the fixation of initial pay as shown in column 4 of the statement below of the persons specified in column 1 from District Courts in the mofussil who have been absorbed in the posts shown against them in the pay scale as shown in columns 2 and 3 respectively, in the office of the Charity Commissioner, ~~Greater~~ Bombay or in the office of the Deputy Charity Commissioner, Greater Bombay Region Bombay, as the case may be.

S.No.	Name	Designation of the post held.	Pay Scale of the post.	Initial pay fixed and the date thereof.
1.	Shri V.R. Kale	Stenographer	140-8-220-10-270	Rs.140/- p.m. from 21st Jan. 52.
2.	Shri C.R. Sontakke	Junior Clerk	75-5-140-EB6-200	Rs.90/- p.m. from 2nd Jan. 1952.
3.	Shri M.G. Sawant	Junior Clerk	75-5-140-EB6-200	Rs.90/-p.m. plus Rs.3/- personal pay from 7th February 1952.
4.	Shri V.T. Pradhan	Judicial Clerk	160-10-240	Rs.160/-p.m. from 2nd Jan. 1952.
5.	Shri M.S. Mankar	Inspector	160-10-240	Rs.160/-p.m. plus Rs.6/- personal pay from 21st January 1952.

By order of the Governor of Bombay,

Sd/- S.W. Dharamdhar

Assistant Secretary to Government

To

The Accountant General, Bombay (through the Finance Deptt)

Copy to;- The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner,
Greater Bombay Region, Bombay.

KAN/31-7.
4 e.

79

No. DA.III. Presy./751.

Bombay 6th June, 1952.

From

THE ACCOUNTANT GENERAL,
M
The BOMBAY

To

The Asstt. Secretary to Govt.,
Legal Department. Bombay

Ref; Govt. Memo, L.D., No. 8085, dt. 15/5/52, in connection with thefixation of initial pay of staff absorbed in the Office of the Charity Commissioner, Bombay, From Distt. Courts in Mofusil.

With reference to his Govt. letter quoted above, please furnish the following information at an early date.

1/ The designation of the persons mention above referred memo prior to transfer and also their scales of pay.

2/ Their original pay prior to transfer.

3/ Rule under which pay is now fixed.

Asstt. Accountant General;

SSM
14/6/52.

Office of the S.C.

SECRETARY TO GOVERNMENT

LEGAL DEPARTMENT

FILE No. 12096

Seen and returned u.o. to the L.D.

2. It seems if would have been desirable if the L.D. had started the designation and the pay of the persons prior to their transfer in the G.N. No. 8088, dated 15-5-52.

E.O.

C.C.

L.D. No. 1736/1952 /17-6-52

SSM
14/6/56.

No. 10535
Legal Department.
Bombay Castle (Bombay No.1),
26th June 1952.

To

The Accountant General,
Bombay.

Sir,

With reference to your letter No. D.A.III Presy /751, dated the 6th June 1952 I am directed to state that the pay has been fixed in accordance with the formula for the fixation of pay from the mofussil scales of pay to pay in the City Scales i.e. to add 4/5 of the compensatory Local Allowance and House Rent Allowance admissible to the particular person, had he been appointed to a post in the mofussil scale in a Bombay Office with the next lower stage in the city scale.

2. Necessary information as regards designation original pay etc. of the persons mentioned inthe Government Memorandum Legal Department Memorandum 6035, dated the 16th May 1952 is shown in the statement appended herewith.

Yours faithfully,

Assistant Secretary to Government.

SSM
14/6/52.

No. 1369 of 1952.

Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated, 17th May 1952.

From,

Shri D. R. Pradhan, I. C. S.,
Charity Commissioner, Bombay.

To,

The Secretary to Government,
Legal Department, Secretariate, Bombay.

Sir,

I have the honour to enclose herewith a copy of letter No. 883 dated 28th March 1952, from the Assistant Charity Commissioner, Poona, and to request that in the circumstances fully explained therein, orders relaxing the age limit in favour of Shriyuts Nana Moti Bordikar and D.B.Raykar may please be issued at an early date. These two persons are appointed to posts sanctioned in Government Resolution, Legal Department, No. 7499, dated 14th May 1951.

Yours faithfully,

Charity Commissioner, Bombay.

Incls.

1) Copy of letter No. 883/28-3-52 from the A.C.C. Poona.
2) Copy of Horoscope of Shri Bordikar.
3) Certificate given by Shri B.P.Dalal, I.C.S., to Shri Bordikar.
4) Certificate given by the Director of Local Autorities C.D., Poona, to Shri Bordikar.
5) Certificate from the supdt.of Police given to Shri Borkikar.
6) Certificate given to Shri Bordikar from Shri B.R.Pradh.
7) Discharge certificate of Shri Raykar.

Submitted.

This relates to the relaxation of age limit of the two peons Viz Shri Nana Moti Bordikar and B.B. Raykar who are employed in the newly created office of the Assist. Charity Comm. Poona.

2. For the facts of the case attention is invited to the letter from the Asstt. Charity Comm., Poona Region, Poona at p.3 ante. Rule 7 read with rule 142 and 143 Appendix D of the B'bay Civil Services Classification and Recruitment Rules prescribe the qualifications in ~~regard of~~ respect of age and education for admission to provincial and subordinate Services. Shri Bordikar's age was over 32 years while that of Shri Raykar was 31 years. (The age years 27 Month 11 Days/0 as shown in the Statement at p.5 ante is not correct) at the time of their appointment in the office of the Asstt. Charity Commr., Poona Region, Poona. Since both peons are overage they should ~~not~~ have been appointed without the previous approval of Govt. (Vide Note (2) below rule 7). But Since the office of the Asstt. CharityComm. is newly created and since the office wanted the services of the peons urgently Govt. may be moved to relax the age limit in favour of two peons. Both the peons are literate and are retrenched Govt. servants.

The P&SD and F.D. may see.

Sd/-

I do not think that 'A' is sufficient ground for recommendation. Is there a precedent?

Sd/-
Secy.

Legal Department.

S.A.S.

Attention is invited to rule 7 and to rule 142 of Appendix D, which provide that a candidate shall not be more than 23 years of age. Note 2 below rule 7 provides that the rule about age should be strictly observed at the time when persons are admitted into service and persons who are above the age limit should not be appointed even to temporary vacancies. If it is considered essential to appoint a candidate who has passed the age limit, the previous approval of Government to such appointment should be obtained stating the reasons for making the appointment. Shri Raykar has not rendered approved war service and hence age limit prescribed in rule 142 of Appendix D would be applicable to him. Shri Nana Moti was taken up as he was readily available on the spot. It is true that Shri Raykar was sent by the Employment Exchange, Poona, but it is not stated by the Assistant Charity Commissioner, Poona Region, whether moth other suitable candidates were available with the Employment Exchange. The Assistant Charity Commissione may, therefore, be requested to state ~~whether~~ whether Shri Nana Moti and Raykar were appointed though overage because no other suitable candidates were available with the Employment Exchange, Poona:

Office of the Charity Commissioner.

Submitted with reference to the last sentence of the L.D. note on overpage.

2. The L.D. wants to know from the A.C.C. whether Shri Nana Moti and Raykar were appointed though overage because no other suitable candidates were available with the Employment Exchange. The two persons were appointed by Shri Lalvani, who was then A.C.C., Poona, and as Shri Lalvani has since taken over as A.C.C. in our office, there appears no need to pass on the papers to the A.C.C., Poona. The following remarks are offered.

3. Please see para 2 of the A.C.C's letter at page 3 ante. Shri Nana Moti was appointed on 21-1-52, i.e., on the first opening day of the office. It is stated that he was immediately available on the spot and in view of his past service and testimonials, he was found suitable and appointed. It was not considered practicable to wait for the nominations by the Employment Exchange as the new office had to get going. As regards Shri Raykar, the A.C.C. in para 3 of his letter, has stated that Shri Raykar, shown to be an Ex-Service man, was nominated by the Employment Poona, and was selected in preference to other candidat- nominated by the Exchang and who were within age. Thus so far as Shri Raykar's appointment is concerned, it can be said that no other Employment Exchange candidate was found suitable.

4. If approved, these papers may be returned to the L.D. with the Above remarks.

A.C.C.

E.O.

C.C.

Office of the Charity Commissioner.

Submitted with reference to the Charity Comm's remarks dated 1-7-1952.

2. The A.C.C., Poona, was requested to make a report and give remarks on the work and conduct of the two peons, viz., Nana Moti Bordikar and B.B.Naykar. The A.C.C. has stated that his predecessor (Shri Lalwani) had found the conduct and work of these peons to be good and quite satisfactory. He has added that since his taking over charge as A.C.C., he finds their work and conduct to be the same. It is also stated by him that the two peons have good experience of office work and know cycling. In his opinion the peons discharge their duties promptly, are trained hands and are useful for his office. He, therefore, recommends that the age limit in their case may be relaxed.

3. The Ex-A.C.C. Poona's, (Shri Lalwani's) remarks are as under :-

> "Shriyuts Nana Moti Bordikar and Naykar worked under me while I was Assistant Charity Commissioner, Poona. Both of them are trained hands and both know office work very well. They are fully acquainted with all the offices in Poona as also with all the localities. Both of them were found to be efficient, prompt and very useful. Shri Nana Moti was found to be very resourceful and could be trusted with any work. Shri Naykar has previous training of keeping office records and can even do the work of inwarding and outwarding of letters,

their work and conduct were found to be excellent."

5. It will thus be seen that both the peons are efficient and experienced. Relaxation of age limit in their favour is sure to add to the efficiency of an office which has recently been established. In the circumstances explained above and in view of para 3 of this office note dated 28-6-1952, it is strongly recommended that Government may ~~may~~ relax the age limit in favour of the two peons.

A.O.C.

E.O.

C.C.

The circumstances in which the appointments were made may be taken into consideration. A new office in a new organisation had to be started and it was essential to have a couple of peons at least who were capable and reliable. A regular selection after consulting the Employment Exchange would have taken time and delayed the opening of the office. So, the first peon was appointed without consultation and consulsation was resorted to in other cases. Even the peon appointed without consultation with Employment Exchange was registred with the Employment Exchange.

No. 2102 of 1952 / ~~127/52~~, 18/7/53.

Submitted.

This relates to the relaxation of the age limit of the two peons in the office of the Asstt. Charity Commr., Poona Region, Poona.

2. Please see in this connection As's note on p. 11 ante. The ~~clearity~~ Charity Commr., in his note at p. 14 ante has explained the circumstance under which the two peons are employed. In view of the facts stated in the said note perhaps the P&SD and F.D. may be requested to relax the age limit in the case of the said two peons.

Peons were necessary in a newly ~~organisation~~ ~~orgina~~ ~~orgina~~ organization which began functuning. In view of the facts stated by the Ch. Commr., the age limit of the two peons may be relaxed.

Political and Services Dpt.
"D" Branch.

The P. & S. D. does not find itself in agreement with the proposal made by the L. D. The reasons urged for relaxation of age limits in favour of the two persons in question are prima facie unacceptable. The recruitment rules require that persons taken in Government service should fulfil the conditions prescribed for the posts they are taken in, except in very exceptional circumstances where relaxations may be necy. in the interests of public service. There are no such circumstances in the present case and if running of a new office be accepted as a cause sufficient to justify relaxation in favour of persons that are on the spot may be available, it would be bad principle and an awkward precedent. The office was not perhaps created and not going within a day. Arrangements should have been made in good time to recruit suitable persons. This Deptt. may not therefore accept Shri Moti's case for relaxation. The case of the other persons, Shri Naykar, is not also on firm grounds. It is difficult to understand that no suitable persons within the age-limits are available. The L.D. may be advised to ask the Charity Commr. to make fresh efforts to replace these two persons as early as possible by obtaining suitable candidates from the Emp. Exchange. Pending alternative arrangements, there is no objection to the two persons continuing on a purely temporary basis. A

2. The papers may now be passed on to the F.D.

Sd/-

Finance Dept.

Seen and returned to the Legal Dept. with an expression of concurrence in the view expressed in the P & S O note dated 28-7-52 overleaf.

Legal Dept.

Submitted.

The P & S.D. and F.D. do not agree to our proposal of relax the age limit in respect of the two peons employed in the office of the Asstt. Ch. Commr., Poona. As advised by the P & S.D. at A in its note overleaf the Ch Commr., may be requested now to make fresh efforts to replace the two peons in question through the Employment Exchange as early as possible. Till then the two peons should be continued only on temp. basis.

It is unfortunate that P & S.D. consider that running of a new office is not an exceptional circumstance. The C.C. may be requested to take action as proposed at A of P& S.D. note date 9/8/52.

No. 13594

Legal Department,
Bombay Castle (Bombay No. 1), 20th August 1952.

To

The Charity Commissioner,
Bombay.

Subject :- Relaxation of age limit of peons in the office of the Assistant Charity Commissioner, Poona.

Sir,

With reference to yo r letter No. 1369, dated the 17th May 1952, I am directed to state that Government does not agree to the relaxation of age limit in favour of the two peons in question. Government is pleased to direct that fresh efforts should be made as early as possible to replace those two peons by suitable candidates form the Employment Exchange and that till then the two peons should be continued on a purely temporary basis.

2. The papers forwarded with your letter under refer nce accompany.

Yours faithfully,

Assistant Secretary to Government.

Shivaji Market, .
Kolhapur,
ist July 1960.

From

D. S. Pawar, M.L.A.

To,

Shri Morarji Desai,
Chief Minister of Bombay.

Sir,

Respectfully I beg to submit following few suggestions for your kind and sympathetic consideration.

I am conscious that the Government and all the higher officers are trying to save the Government from unnecessary extra expenses and thus to make the economic drive successful. I also know that the Government has appointed the Estimate Committee for this sort of work. However, I hope my suggestions are for Departmental work and thus to contribute m efforts to save the labour and public money. I am putting these suggestions from my personal experience gained after working in differen departments as a Government servant and as a member of different local bodies.

(1) Transfer of Government servants.

The frequent transfers of Government servants have created confusio in the administrative work and the Gvernment has also to suffer finanoially in these hard days.

I understand the importance of transfer of a Gvernment servant for the public interest, I also know that some times in some cases the transfer orders are to be passed more than once according to the nature of a particular case, within a short period, but in many cases it is found that the transfers are made unnecessarily more than once of the same man from place to place at the interval of short period, without any substantial grounds. Besides in some cases, some servants are picke up from once place and transferred at a great distance, that is from one end to other end. In such cases the Government has to pay heavy T.A. Bills which is a matter for immediate consideration. In such case it is also said a punishment. If it is so, I think this would and public suffer from this. (x) Besides the work

Really speaking as a principle that the transfers are to be made the period of every 3 years. During that period the man gets necessary information and knowledge of that particular place and becomes able to perform his duty more efficiently than newly transferred person.

I therefore request you to pass my suggestion to the concerned authorities so that they should minutely see and convince themselves that the transfer is quite necessary and unavoidable. Besides that the transfer may be to the nearest place.

(2) Inspection.

At present there are unnecessarily more inspections by the diffe departments. After minute observation I am fully convinced that inste

of getting more benefits out of them, the lower offices waste theri time and labour in attending the inspection goods. So there must be some check, and some irspections need be drastically curtailed immediately particularly in the supply Department.

(3) Consolidation of Offices.

I think the Government has taken a notice of this and they have taken 3 Districts for experiment at present. However, I would like to suggest that at Taluka and Peta there are many petty offices except Revenue, Civil and Police offices. According to the present system these offices are separate from each other. Mostly these petty offices have no sufficient work. Particularly the R.Offices are heavily burdened. According to the present Government policy we are to develop out country in all respects. We have also to raise the living stadnard of the general public. Social mode of life is to be changed, Illiteracy, Bribery are to removed. Prohibition is to be made a success. Better farming and more food grains production is to be daily watched. I therefore like to suggest that there may be a team work under the Revenue Officer as a captain. So, necessary instructions may be issued the Revenue officer.

(4) Returns.

At present many returns are called for by the higher offices. Particularly the Supply Department has got more returns. Thereby the clerks and Talaties are heavily loaded by this extra work with no advantage. Some of these returns are not at all needed. So there may be a close and minute inspection and if possible unnecessary returns should be cancelled immediately.

(5) Civil Supply.

I am putting a separate note for this. But I am stating one case for your sympathetic consideration. At Vengurla in Ratnagiri District there is a separate Rationing Office for the Town. In Vengurla Peth there are 18 villages with a population of nearly 35000. I believe the town has got 15000 to 20000 population. For this town there is separate Rationing office. As for the remaining villages the work is done by the talaties under the R. Officer. I do not find any necessity to have a separate R. Office for the town only. It is really a waste of money. Only one more additional talati will be able to carry out the whole work. So necessary inquiries may be made and such Ration offices should be closed as early as possible.

As states above, these are my few suggestions which I hope will receive your kind consideration for the good of the public.

Submitted.

Please see Copy of Shri Pawar's letter addressed to the Chief Sec. at pp 3-5 ante.

2. The suggestions made by Shri Powar are in ~~requested~~ respect of --

(1) Transfer of Govt. Servants
(2) Inspection.
(3) Consolidation of offices.
(4) Returns, and
(5) Civil supply.

3. Under the administrative control of this Deptt. the Charity organization has started functioning recently. The organization has been divided into six Regions Viz

(1) B'bay city and Greater B'city Region.
(2) Ah'abd.
(3) Poona.
(4) Kolhapur.
(5) Belgaum, and
(6) Baroda.

The Staff under the Charity-Organization is liable for transfer form one Region to another. The Charity Commr. and also the Dy and Asstt. Charity Commrs. are touring officers and are required to visit the regions for inspection. The transfer of staff from region to another is not intended periodically as is done in the care of Govt. Servants in the Revenue or Police Deptts but occasionally e.i. in case of of promotions or in the exigencies of work. Shri Pawar's Suggestions, it appears, are mainly intended for Revenue and supply Deptts. and hence this Deptt. need not offer any remarks.

4. If approved (P & S D may be formed that the L.D. has no remarks to offer) a copy of the letter from Shri Pawar may be forwarded to the Charity Commr. with a request to forward his remarks on suggestions (1), (2), (4).

SSM
15/6/56.

No. 1784
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
19th June 1952.

From

Shri D.R.Pradhan, I.C.S.,
Charity Commissioner, BOMBAY.

To

The Secretary to Government,
Legal Department, Secretariate,
BOMBAY.

Sir,

I have the honour to state that the Assistant Charity Commissioner, Baroda, reports that in view of heavy registration in his Region, it is very difficult for his clerical staff to cope up with the pressure of work and requests that his clerical staff may be strengthened for a short period. From the weekly progress reports received in my office, it is apparent that the number of applications under Section 18 of the Bombay Public Trusts Act, 1950, received at Baroda is approximately three times greater than that received at Ahmedabad, and as such the request of the Assistant Charity Commissioner, Baroda, appears very reasonable. I do not, however, propose to ask for any additional staff, but would recommend taht one of the junior clerks at Ahmedabad may be temporarily deputed to the Baroda office. The Deputy Charity Commissioner, Ahmedabad, has agreed to this arrangement. As the power to grant exemption from B.C.S.Rule 449 limiting the grant of daily allowance for halt on tour upto 10 days has not been delegated to me, I cannot allow the clerk to draw daily allowance upto the limit of 30 days. The cost involved in my proposal would be less than the cost that would have to be incurred on account of creation of a temporary post. In the circumstances, I have to request you to issue orders sanctioning daily allowance to one of the junior clerks at Ahmedabad upto 30 days during his deputation period to Baroda.

3. Since the clerical staff at Baroda needs immediate relief, it is requested that very early orders may be passed on my proposal.

Yours faithfully,

Charity Commissioner.

Legal Department.

Submitted.

Please see letter from the Charity Commr, B'bay overleaf.

Rule 449 of the B.C.S. his regulates the grant of daily allowance for a continous half of more than ten days at any one place. It is true that Secretary L.D. is competent to

sanction such daily allowance. But since this involves extra expenditure it seems desirable to obtain the concurrance of the A.D. This may be therefore be shown to that Deptt. with a request to treat the case as immediate.

Finance Deptt.(X)

Seen and returned to the L.D. 2

2. A reference to the F. D. is not necessary in such cases The delegation already takes into account the consequent position resulting in extra expdre to Govt.

3. If the work at Baroda is likely to be heavy for a pretty long period, the L.D. may please consider the alternative of creating an addl post at Baroda and holding a post at Ahmedabad in abeyance for a corresponding period. Such a course will be more economical.

S. O R. to the L.D. /22-7-52.

Legal Department.

Submitted.

The ~~clearity~~ Charity Commr. may be requested to state whether the period of deputation would exceed 30 days and if so, we may not accept the F.D.'s suggestion in para 3 of it note above.

R.R. to Charity Commr. No. 12282 /25-7/1952.

Office of the C.C.

Ut F.D. suggestion

These papers may be returned to the L.D. with an intimation that the period of deputation of the clerk is not likely to exceed 30 days and the question of acceptance in para 3 of its note does not arise. Power delegated to Heads of Deptts. and hence it was necessary for the C.C. to move Govt. in the L.D.

No. 2163.

E.C.

C.C.

L.D.

Submitted.-

In view of the above note, ~~secretary~~ necessary orders to the A.G.B. G. may be issued.

Memo put up at p.5 post for signature.

No. 12630
Law Department,
Bombay Castle (Bombay No. 1),
30th July 1952.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay and is directed to state that Government is pleased to allow a junior clerk on the establishment of the office of the Deputy Charity Commissioner, Ahmedabad Region, to proceed to Baroda to work in the office of the Assistant Charity Commissioner, Baroda and draw usual daily allowance upto the limit of 30 days in relaxation of rule 449 of the Bombay Civil Services Rules.

By order of the Governor of Bombay,

Assistant Secretary to Government.

To

The Accountant General, Bombay (through the F.D.)

copy to
The Finance Department,
The Charity Commissioner, Bombay
The Deputy Accountant General, Baroda,
The Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad,
The Assistant Charity Commissioner, Baroda Region, Baroda,
The Treasury Officer, Ahmedabad,
The Treasury Officer, Baroda.

Office of the Charity Commissioner.

Submitted.

2. Shri K. G. Medhekar, a clerk in the L.D., has been taken up in this organization as a junior clerk in the Public Trusts Registration Office, Baroda. Shri Medhekar was drawing Rs. 85/- p.m. in the scale of Rs. 75-5-140-EB-8-220 and the L.D. has stated that his normal date of increment is 27th August. His intial pay will now have to be fixed in the mofussil scale of pay of Rs. 46-3-85-EB-4-125-5-130. He was relieved on 1st August 1952 after office hours from the L.D. and has reported himself for duty to the Public Trusts Registration office, Baroda on 2nd August 1952 before office hours.

3. The formula for the fixation of pay form city scale to apply pay in the mofussil scale is to deduct 4/5th of the comp. local allowance and house rent allce. admissible to the particualr person, had he been appointed to a post in the city scale in a mofussil office, with the next lower stage in the mofussil scale. The rate of c.la. & h.r.a. admissible on Rs. 80 (next lower scale than his pay of Rs. 85) is Rs. 10 and Rs. 15 respectively.

4. On the basis of the above formula, Shri Medhekar's pay in the mofussil scale will have to be fixed at Rs. 64 ~~plus~~ plus Rs. 1/- as personal pay, with effect form 2nd August 1952 and at Rs. 67/- with effect form 27th August 1952, the normal date of his increment.

5. This note may be referred to the L.D. for issue of requisite orders in consultation with the F.D.

E. C..

C. C..

L. D.

DC. 6.8.52.

No. 2387 of 1952
6.8.52.

Legal Department.

Submitted.

Necessary orders may be issued after U.R. to F.D. The fixation of pay will be under Rule 42 of the BSR.

U.R to F.D. No. 13112 / 9th Aug.1952.

Legal Department.

Submitted.

This relates to the fixation of pay of Shri Medhekar. The F.D. wants to know whether the pay of Rs.85/ drawn by Shri Medhekar is his substantive pay and if not whether Shri Medhekar's transfer to Baroda was made on his own request or in the interest of public Service.

A / The F.D. may be informed that Shri Medhekar is permanent Govt. servant and the pay of Rs.85/- p.m. drawn by him was his substantive pay.

U.R. to F.D. No. 14008 /28th August 1952.

Finance Department.

Submitted with ref. to o.n. dated 19-8-1952.

In view of the position stated at A in the forgoing L.D. not, F.D. may agree to Shri M's pay being fixed as proposed in para 4 of the Charity Commr's note at page 4.

U.R. to L.D. dated 30-8-1952.

No. 14504
Legal Department.
Bombay Castle (Bombay No.1),
6th September 1952.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay and is directed to convey the sanction of Government to the fixation of pay of Shri K.G.Medhekar, on his transfer to the office of the Public Trust Registration, Baroda, at Rs. 64/- plus Rs. 1/- as personal pay in the mofussil scale of pay of Rs. 46-3-85-EB-4-125-5-130 with effect from 2nd August 1952 and at Rs. 67/- with effect from 27th August 1952 that being the normal date of his increment.

2. Shri Medhekar was substantively holding a clerk's post in this Department and as such he was drawing Rs.85/- per month as his pay in the scale of Rs. 75 -5-140-8-220.

By order of the Governor of Bombay,

Assistant Secretary to Government.

To

The Accountant General, Bombay
(through the Finance Department.)

Copy to--

The Finance Department,

The Deputy Accountant General, Baroda
(through the Finance Department),

The Charity Commissioner, Bombay.

~~Dibtcq~~-Public Trust Registration Office, Baroda.

Submitted.

The F.D. agrees to the fixation of pay of Shri

Shri Medhekar as proposed in para 4 of the- Charity Commr.'s note on pages 1-2 ante.

Necessary orders may now be communicated to the A.G .B/

Office of the Charity Commissioner.

Submitted with reference to para 4 of this office note dated 22-4-52 leading to G.M., L.D., No. 8088 dated 16-5-1952. The question of fixation of initial pay in the city scale of Rs.75-5-140-EB-6-200 of Shri A.H. Kulkarni may now be taken up.

2. The District Judge, Satara North, has now stated that Shri Kulkarni's substantive pay in the scale of Rs. 46-3-85-~~EB4-4-125-130~~- EB-4-125-5-130 was Rs. 76/- p.m. on 7-1-1952. He was transferred to the Charity Commissioner's Organization on 7-1-1952. The formula for fixation of pay from the mofussil scale of pay to pay in the city scale is to add 4/5th of the C.L.A. and H.R.A. admissible to the particualr person had he been appointed to a post in the mofussil scale in a Bombay office, with the next lower stage in the city scale. On the basis of this formula, Shri Kulkarni's initial pay will have to be fixed at Rs. 96/- (Rs.95 pay plus. Re. 1 as personal pay) as shown in column 10 of the statement at page 3 post.

3. These papers may be passed on to the L.D. for issue of orders in consultation with the F.D.

E. O.

C.C.

L. D., No. 1671 of 1952 dated 12.6.52.

No. 1428
Local Department
Bombay Castle (Bombay No.1).
7th August 1952.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay and is directed to convey the sanction of Government to the effect that fixation of pay of Shri A. H. Kulkarni a clerk in the office of the District Court, North Satara, who has been absorbed now in the office of the Charity Commissioner, Bombay, shall be as shown in the appended statement.

2. The pay so fixed is in accordance with the formula for the fixation of pay from the ~~fer~~ mofussil scales of pay to pay in the City scales i.e. to add 4/5 of the compensatory Local Allowance and House Rent Allowance admissible to the particular person, had he been appointed to a post in the mofussil scale in a Bombay Office with the next lower stage in the city scale.

By order of the Government of Bombay

Assistant Secretary to Government.

To
The Accountant General,
Bombay (through the Finance Department),

Copy to-

The Finance Department,

The Charity Commis...

Copy to-

The Finance Department,
The Charity Commissioner, Bombay.

Submitted

The F.D. has agreed to the fixation of pay of Shri Kulkarni as proposed by us.

Necessary memo to the A.G.B.C. is put for sign.

SSM
14/6/56.

Office of the Charity Commissioner.

Submitted with reference to G. R. L. D. No. 5195, dated 5-4-52, relating to fixation of intial pay of staff absorbed in the Charity Commissioner's office, Bombay, for District Courts in the mofussil.

2. Under the G. R. referred to above, Shri V. D. Kunte's initial pay has been fixed at Rs. 160 plus Rs. 6 personal pay in the scale of Rs. 160-10-240 with effect from 16-1-1952 He has been absorbed in the Charity Commissioner's office as of Rs 160/- p.m. plus Rs. 6/- personal pay Bench clerk. The fixation of pay was based on the fact that his substantive pay as Shirastedar in the District Court, Thana, was Rs. 140 p. m. in the scale of Rs. 100-8-140. Just prior to his absorbtion in our office, Shri Kunte was officiating as Deputy Nazir in the scale of Rs. 100-8-140-10-170 and d mawing an officiating pay of Rs. 160-p, m.

3. The D.G. Thana, has no informed us that Shri Kunte is made provisionally substantive in the grade of Rs. 100-8-140-10-170 with effect form 10-4-1952. (vide copy of his letter No 2257 dated 26-4-52). As Shri Kunte is on probatic for a period of one year with effect from the date of his actual appointment and as he has a lien on his substantive post in the District Court it will be necessar; to refix Shri Kunte's initial pay in the city scale with effect from 10-4-1952. In the circumstances, his initial pay in the city scale of Rs. 160-10-240, may be fixed at Rs. 8 personal pay with effect from which he is

provisionally confirmed on L. 160 p.m. in the mofussil scale of R. 170-8-160-10-170.

4. If approved, these papers may be referred u. o. to the L.D. with a request to agree to the above proposal and issue requisite orders in consultation with the F.D.

E. O.

C.C.

L. D.

ORDER

Shri Y. K. Vaidya, Deputy Nazir, District Court, Thana now provisionally substantive in the grade of Rs. 100-8-140-10-170 is confirmed in that grade with effect form 10-4-1952 vice Shri G. Y. Deshpande deceased.

Shri V. D. Kunte, acting in the grade of Rs. 100-8-140-10-170 and now on deputation to the office of the Charity Commissioner, Bombay is made provisionally substantive in that grade vice Shri Y. K. Vaidya confirmed with effect from 10-4-1952 ~~vice Shri Y. K. Vaidya confirmed.~~ (X)

Sd/- R. S. Vaze,
District Judge, Thana,

Thana,
25th April, 1952.
DO. 12-6-52.

(X) Shri S.R. Parelikar, Clerk of the Court and Nazir, Civil Court, Bassein, who is now provisionally substantive in the grade of Rs. 100-8-140 is confirmed in that grade with effect from 10-4-1952 Vice Shri Y.K. Vaidya Confirmed

Seen and returned to the L. D.

U.R. to L.D. dated 18-7-1952.

Submitted.

The F. D. has agreed to our proposal to the refixation of Shri Kunte's pay at Rs. 160/- plus Rs.8/- as personal pay with effect rfom 10th April 1952 the date from which he is provisionally confirmed on Rs. 160/- in the mofussil scale of Rs. 100-8-140-10-170.

Necessary memo to A. G. is put up for sign.

Sd/- 28/8.

. No. 14086

Legal Department,

Bombay Castle (Bombay No. 1),
29th August 1952.

Subject :- Refixation of pay Shri V. D. Kunte Judicial Clerk in the office of the Charity Commissioner Bombay.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay and in modification of Government Memorandum, Legal Deptt. No. 5195, dated the 5th April 1952 is directed to convey the sanction of Government to the refixation of the initial pay of Shri V. D. Kunte at Rs. 180/- p. m. plus Rs. 8/- personal pay with effect from 10th April 1952 the date from which he is provisionally confirmed on Rs. 160/- p.m. in the mofussil scale of Rs. 100-8-140-10-170.

By order of the Governor of Bombay,

Assistant Secretary to Government.

To

The Accountant General,
Bombay (through the Finance Department)

Copy to

The Finance Department,
The Charity Commissioner, Bombay.

SSM.
16/6/56.

No. 2077 of 1952.

Office of the Charity Commissioner,
Bank of India Building, 4th floor,
Flora Fountain, Fort, Bombay No.1.
Dated : 15th July 1952.

From

Shri D. R. Pradhan, I.C.S.,
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Secretariat, Bombay.

Subject :- Creation of a post of a watchman for the Public Trusts Registration Office, Ahmedabad.

Sir,

I have the honour to state that under Government Resolutions, Legal Department, Nos. 7599 and 13318 dated 14th May 1951 and 29th August 1951, respectively, one post of Naik, five posts of peons and two temporary posts of peons have inter alia been sanctioned for the Public Trusts Registration Office, Ahmedabad Region, Ahmedabad. In accordance with the orders issued in Government Resolution, Finance Department, No. 7983/33, dated 20th May 1952, the two temporary posts are being retrenched with effect from 1st August 1952. Thus, the class IV establishment of that regional office will comprise of 1 Naik and 5 peons only. The Deputy Charity Commissioner being a touring officer will have a Naik and a peon and the three peons will be with the three Inspectors whenever they go on tour. There will be only one peon for the entire office which has a clerical strength of 10

(including 3 Inspectors). It will not be possible for a single peon to do watchman's duty during the nights.

2. The office is located in a private building in Khanpur. The Deputy Charity Commissioner, Ahmedabad, has informed me that there is no Government office located in the nearby locality and the question of sharing the services of a watchman attached to some other office does not arise. It being a public office, cash is received daily and people in the remote area sometimes come late during office hours for making payments. As the closing hour of the Bank is 3 p.m. big cash amount sometimes remains in that office till the next day. ~~As the closing hour of the~~ It is, therefore, considered necessary to have a watchman for the safety of Government money and office record.

A

3. In the circumstances, it is requested that a temporary post of watchman in the usual mofussil scale of Rs. 30-1/2-35 may be created for a period of one year in the first instance. The annual average cost involved in the proposal would come to Rs. 816/- and it would be possible to meet the extra cost from the sanctioned grant under "25-General Administration-E-District Administration-Q-General Establishments-Q-1(c)-Regional staff of Charity Commissioner-Q-1(c)(2)-Pay of Establishment" during the current financial year. I may further add that the cost on account of pay and allowances of Charity Commissioner's

B

...ment is to be reimbursed to Government every year

from the Public Trusts Administration Fund.

Yours faithfully,

Charity Commissioner, Bombay.
15/7/52.

SSH
16/67/56.

No. 17601/C

Legal Department,

Bombay Castle (Bombay No.1), 24th Oct. 1952

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the creation of a temporary post of a night watchman (class IV servant) in the office of the Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad on a fixed pay of Rs. 30/- p.m. plus Dearness Allowance admissible, for a period of one year in the first instance with effect from the date of actual appointment.

2. The expenditure for the current year should be met from this year's sanctioned grant under "25 General Administration - E - District Administration - 8 - General Establishments - Q - 1(c) (2) - Pay of Establishment". regional staff of ch. commrs. - Q-1(c)

By order of the Governor of Bombay,

Assistant Secretary to Government.

To

The Accountant General, Bombay (Through the Finance Department.

Copy to

The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad.

SSM
6/6/56.

No. 4150 of 1952

Office of the Charity Commissioner,
Bank of India Building, 4th floor,
Flora Fountain, Fort, Bombay No.1.
Dated : 11th November 1952.

From

Shri N. R. Pradhan, I.C.S.

Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Subject :- Creation of a temporary post of a night Watchman for the Public Trusts Registration Office, Ahmedabad.

Sir,

Reference para 1 of Government Memorandum, Legal Department, No. 17601/C, dated 24th October 1952.

2. I have the honour to state that in the above referred to memorandum, a temporary post of a night Watchman (class IV servant) in the Public Trusts Registration Office, Ahmedabad, on a fixed pay of Rs. 30/- per month, plus dearness allowance admissible, has been created for a period of one year in the first instance with effect from the date of actual appointment. However, the orders are silent on the question of admissiblity of house rent allowance and compensatory local allowance. In the circumstances, it is requested that these two allowances may also be sanctioned and the Government memorandum may be suitably amended at an early date.

Yours faithfully,

Charity Commissioner, Bombay.

Copy forwarded with compliments to the Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad, in continuation of this office letter No. 4089, dated 7-11.1952, and his office letter No. 4519, dated 3rd/7th November 1952. The appointment of the Watchman may be deferred pending clarification from Government.

SSW
16/6/56.

No. 20955/C
Legal Department,

Bombay Castle (Bombay No.1), 13th December, 1952.

To

The Charity Commissioner,
Bombay.

Subject :- Creation of a temporary post of a night watchman for the Public Trusts Registration Office, Ahmedabad.

Sir,

With reference to your letter No. 4150, dated the 11th November 1952, on the above subject, I am directed to inform you that the post of watchman sanctioned at Ahmedabad would ipso facto carry the allowances admissible in that locality under the General order of Government on the subject. No special orders are, therefore, necessary. The incumbent would draw the allowances on the authority of G.R., F.D. No. 6567/33-IV, dated the 1st January 1948 if he is actually stationed in the locality where the allowances are in force.

Yours faithfully,

Assistant Secretary to Government.

SSM
16/6/56.

Legal Department.

Submitted- with reference to the H.M.T's note on the following page.

2. This Deptt. has no pps. on the subject, perhaps the C.C.'s office might be having them as the subject matter pertains to that office. The pps. may be passed on to the C.C.'s office for necessary action.

U.R. to C.C. Office no. 884 21/Jan., 52.

Office of the Charity Commissioner

Submitted.

2. The papers relating to the fixation of pay at Rs. 350/- per month of the Secretary, Wakf Committee, Bombay, are in the R.D. It may be mentioned that the Secretary, Wakf Committee, was drawing Rs. 250/- p.m. from 1939 and it seems that in view of the nature of work allotted to him, the fixed pay of Rs. 250/- p.m. was upgraded to that of Rs. 350/- p.m. Under Govt. Letter, R. D.,No. 2217/33/63087-C, dated 10-8-1951, Government fixed the salary of the Secretary at Rs. 350 p.m. with effect from 1-8-1950.

3. These papers may be returned u.o. to the Local Department with a request to call for the papers underlying G.L., R.D., No. 2217/33/63037-C, dated 10-8-1950, from the R.D.

C.C.

Legal Department.

Submitted.

2. The rpo. may be passed on to the R.D., with a request to furnish department with the relevant file.

G.R. to R.D. No. 1115 Dated 25th Jan. 1951.

Legal Department.

Submitted.

2. This is a reference from the President, Walf Commi.tee, Bombay, requesting Govt. that no circumstances exist for differentiating the Secretary's case from those of those of other members of Committee's staff in fixing the date of revised salaries and giving the past increments and to reconsider the Committees's suggestion in the light of recommendations that might have been made by the Chief Judge in this matter and senction the payment of the increment from the date on which the same was sanctione d for the other staff both of the Committee and the court, recruited under the Mussalman Wakf Act, 1923, as amended by Bombay Act XVIII of 1935.

3. The history of the case is as follows: Shri A.G.M. Peshiram, M.A., LL.B., who joined Revenue Department as Junior Assistant on Rs. 100 p.m. on 24 the August 1939 was first appointed as the Secretary of the Wakf Committee on a fixed salary of Rs. 250 p.m., which was raised to Rs. 275 p.m. in 1942. In July 1948 the Com.ittee requested that the Secretary's salary should be raised to Rs 350 bgt-but the C.J., Small Causes Court, recommended that the salary of the Secretary should be raised to Rs.300 in view of the steep rise in the cost of living. Govt. accepted the C.J's recommendation and in G.L.,R.D., dated 11-10-1948 the Secretary's salary was waised to Rs.300 p.m. with effect from 1-1-1947. In Feb uary 1949 the Committee again re-iterated its request to raise the salary of the Secretary to Rs.350. The C.J., however, in his letter dated 28-2-48 emphatically stated that there was no case for any further increase in the salary of the Secretary, who was on a fixed salary and whose duties had not increased or altered in any form since his first appointment in 1940. Govt. agreed with the C.J's opinion. In June 1949, the Committee again approached Govt. with a proposal that the Secretary should be given a regular

pay scale of Rs.250 to 650. As the Bombay Public Trusts Act, 1950, was shortly ~~to~~ to be enacted, Govt. informed the Committee that in view of this and as the pay scales were only recently revised, the question of sanctioning a regular pay scale for the Secretary's post should be dropped. In February 1950 the Committee approached H.M., R.D., direct reiterating their request but H.M. agreed that the salary need not be revised. The Committee again stressed the need for giving increments to the Secretary and in G.L., R.D., dated 30-6-50 Govt. agreed to refix the salary of the Secretary at Rs.325, on the clear understading that the salary of the Secretary was a fixed one and that increments were not given as a matter of cour e. The Committee thereu on requested that this refi ation of salary should be given retrospective effect from 1-1-47 and also saw D.S., R.D., on 3-1-50 with a request that the Secretary should be given Rs. 350. H.M., R.D., after discussion with D.S.,R.D.,agreed that the ~~Secretary should be given Rs. 350, H.M., R.D., after discussion with D.S., R.D.,~~ agreed pay of the Secretary should be raised to Rs.350 but from 1-8-1950 only and the Committee was informed accordingly. It again approached Govt. in August 1950 for giving retrospective effect to the orders but Govt. saw no reason to reconsider the matter. In December 1950 the Committee ag in approached Govt. and stated that the question of fixing a r gul r pay scale for the Secretary may be dropped but re uested that the staff of the Committee should be given the revised salary from 1-1-47. Govt. agreed to the later latter pr posal and gave effect to the rivision of salari s of the clerk and peon from 1-1-47. In April 1952 the Committee again approached Govt. with a request that the salary of the Secretary should also be revised from 1-1-47. At that time, the fact that the Secretary was first appointed on a fixed salary and duties of the Secretary which are neither heavy nor onerous, the Secy. has received liberal increases in his salary from time to time though th re ha d been no increase in his work as observed by C.J. himself, was considered and the Committee was informed that Govt. saw no reason to reconsider the decision communicated to it in G.L.,R.D.

dated 10-8-50 regarding the salary of the Secretary of the Committee and that that reply should please be treated as final.

4. Now the Committee has again approached Govt. for giving retrospective effect to the salary of the Secretary at Rs. 350 p.m. form 1-1-47, i.e., the date form which the increases in the salaries of the staff of the Committee and court for Wakf Committee was sanctioned.

5. It will be observed that the question of the Secretary's salary has been considered thoroughly and that there are no new grounds to reconsider the decision of Govt. The Secretary has drawn pay at the following rates:

Rs. 250 from 1942- 58 1943;

Rs. 275 from 1943 to 1947-

Rs. 300 from 1-1-47 to 1-8-50; and

Rs. 350 from 1-8-50

till he was absorbed in the Charity Commr's Regional Office as Superintendent on Rs. 345 pay, plus Rs.5 personal pay in the grade of Rs. 250-10-300-15-345. In view of the decision communicated to the Committee in G.L., R.D., dated 26-4-1950, that Govt. saw no reason to reconsider the decision communicated to it on 10-8-50 regarding the salary of the Secretary of the Committee and that that Reply should please be treated as final, it does not appear necessary to give retrospective effect to the salary of the Secy. at Rs. 350 p. m. 9d/-21/2

This question seems to have been agitated far too frequently. Govt. has carried it repeatedly; and we should, Therefore, adhere to the decisions already taken by Govt. (1) That the Govt. salary of the Secretary was fixed one; & (2) and that the salary of Rs. 350 which was sanctioned should be with effect from 1-8-50 only. There is no reason to depart form these decision.

This question seems to have been agitated for too frequently Govt. has considered it repeatedly, and we should, therefore, adhere to the decisions already taken by Govt.(1) that the Salary of the Secretary was a fixed one; & (2) and that the Salary of Rs.350 which was sanctioned should be with effect from the 1-8-50 only. There is no reason to depart from these decisions.

Now that the Secretary Mr. Peshimam has been absorbed on the Salary of Rs.350/-. He has no cause for immediate grievance. Had he continued as the Secretary, I do not think that he would have got more; in fact, Govt. had ruled that increments were not to be given to him as a matter of course. The P.S.C. did not select him for the post of the Assistant Agency Charity Commissioner, and we have absorbed him without any loss caused to him.

It is no doubt true that he should not ordinarily be expected to work on this same Salary of Rs.350/- for the next 15 years of his service. It would be open to the Charity Commissioner to promote him in the manner suggested by him or in any other suitable manner, provided he is found otherwise fit for promotion by the quality of his work. An opportunity will occur in 1953 as suggested by C.C. and we till then he may continue with his present pay.

Sd/- P.N.L.
21/2

No.32 dt. 22-2-1952.

Hon. (Law) Sd/-
24/2

Legal Deptt.

Submitted.

2. H.M. (Law) having seen, the draft letter put up for approval may issue.

Sd/-

Legal Department,

Bombay Castle (Bombay No.1) 28th February,52.

From

Shri P. M. Lad, I.C.S.,
Secretary to the Government of Bombay,
Legal Department.

To

Srimati Khadija Shuffi Tyabji, M.L.A., J.P.,
President Wakf Committee. Bombay.

Subject :- Wakf Committee, Bombay
Revision of Salary of Secretary of-

Madam,

With reference to your letter No. E, dated the 16th January 1952 on the subject mentioned above, addressed to the Honourable Minister for Law and Civil Supplies, I have the honour to inform you that on a review of all the circumstances leading to the absorption of Shri A.Q.M. Peshimam, Ex-Secretary, Wakf committee, Bombay in the Charity Commissioner's organisation Government seen no reason to reconsider the decision conveyed to you in Government Letter, Revenue Department No. 2217/33/32001C, dated the 26th April 1952. I am however to add that Shri Peshimam will be eligible for promotion in the Charity Commissioner's Organization provided he is found fit therefor by the quality of his work.

Yours faithfully,

Secretary to Government,

Copy forwarded for information to
The Revenue Department,
The Charity Commissioner.

SSM

No. 17468/C

Legal Department,
Bombay Castle (Bombay No.1). 22nd Oct. 1952.

To

The Charity Commissioner,
Bombay.

Subject:- Representation of Shri A.Q.M. Peshimam in respect of retrospective effect to be given to his increased Salary.

Sir,

With reference to your endorsement No. 2710, dated the 29th August 1952, on the above subject, I am directed to inform you that Government sees no reason to reconsidder the decision already arrived at in the ma ter of giving retrospective effect to the increased salary of Shri Peshimam of Rs. 350/- with effect form 1st August 1950.

Yours faithfully,

Secretary to Government.

SSM
18/6/56.

To

The Charity Commissioner,

Bombay.

Sir,

I beg to make the following submissions for your due and sympathetic consideration.

2. I was one of the employees appointed under the Trusts Acts which before their repeal were being administered by the Chief Judge, Court of Small Causes, Bombay. The salaries of the said employees were revised under Govt. orders on the lines adopted in the case of other Govt. servants in pursuance of Govt. Resolution F.D., No. 6567/33-I, dated 15-1-1948. The revised salaries of the employees in both the establishments constitued under the Chief Judge, Court of Small Causes, Bombay, for the purposes of the Trusts Acts were sanctioned with effect from 1-1-1947 as was done in the case of other Govt servants but the revised salary sanctioned to me came into effect from the date of Government order & not form 1-1-1947.

3. The revision of payscale of the post of Secretary, Wakf Committee was not sanctioned on the ground of revaluation of the post i.e. by virtue of any additional duties being attached thereto and hence on the analogy of the revision of payscales of all Govt. servants and other employees of the Wakf Committee I think that I am entitled to the revised pay of Rs.350/- p.m. from 1-1-1947.

4. I therefore request that may case may be reconsidered and, the revised salary sanctioned to me may be given with effect from 1-1-47 instead of form the date of Govt. order. This will not only be in conformity with the principle adopted by Govt. in the case of the employees under the repealed Trust Acts but it will also amount to granting of relief to me in respect of the increments that had become due to me under the old Act.

Yours obediently,

Bombay, dt. 25Aug. 1952.

SBM
16/6/56.

~~Ed-le-~~ Below application dated 26th August 1952 from Shri A.Q.M. Peshimam, Superintendent in the Public Trusts Registration Office, Greater Bombay Region. Bombay.

****

No. 2710 of 1952
office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated : 29th August 1952.

Forwarded with compliments to the Secretary to Government, Revenue Department, Secretariate, Bombay, for disposal.

2. Shri Peshimam, Secretary, Wakf Committee, Bombay, has been absorbed in the Charity Commissioner's organization with effect from 21st January 1952, on the application of the Bombay Public Trusts Act, 1950. As the payscale of the post of Secretary, Wakf Committee, Bombay, was revised under Government Letter, Revenue Department, No. 2217/33/63087-C, dated 10th August 1950, it is for that department to consider Shri Peshimam's request, which seems to be reasonable for revision of his payscale with effect form 1st January 1947, instead of from 1st August 1950. If the request made by him is granted by Government, the extra expenditure will have to be met from the Public Trusts Administration Fund as the accumulated balences of the Wakf Administration Fund have been transferred to the Charity Commissioner and credited to the Public Trusts Admininistration Fund. The extra expenditure may be initially debited to "25-General Adminstration-C-Secretariate and Headquarters establishment-K-Secretariate-K7 (a)-Charity Commissioner including staff of Bombay Region" and reimbursed to Government form the Public Trusts Administration Fund at the end of the financial year.

Charity Commissioner,
Bombay.

Office of the Charity Commissioner,
Bombay.

Please see G.R.,L.D., No. 7509, dated 14-5-51, under which the Gazetted and non-Gazeteed posts for the office of the Charity Commissioner, Bombay, and for the six Public Trusts Registration Offices have been sanctioned. This G.R. was subsequently modified by G.R.,L.D., No.13318, dated 20-8-1952, declaring 9 Class III and 11 Class IV posts to be temporary posts sanctioned upto 28th February 1953 only. Out of the 11 temporary Class IV posts, 8 have since been retrenched in accordance with the general orders issued in G.R.,F.D., 7983/33, dated 20th May 1952.

2. The Bombay Public Trusts Act, 1950, has been applied to public trusts in the State with effect form 21-1-1952. Most of the sanctioned Class III and Class IV posts have been filled in. Recruitment to Class III posts has been made form amongst persons from the Judicial establishments and form the Fund Employees working under the various Administration Funds. The number of junior clerks sanctioned for each of the six Public Trusts Registration Offices is as indicated below:-

	Name of Region.	No. of Jr. Clerks.
1.	P.T.R.Office,C,Bombay	5
2.	P.T.R.office,Ahmedabad	3
3.	P.T.R.Office,Baroda	3
4.	P.T.R.Office, Poona	2
5.	P.T.R.Office, Kolhapur	2
6.	P.T.R.Office, Belgaum	2

Upto 11-10-1952, these regional offices have received 44435 applications for registration under the aforesaid Act. Inquiries under Sections 19 and 28 are to be held with aid of assessors in respect of each such application by the Dy. or Asstt. Charity Commissioner. The inquiry work has already been taken up by these officers. As soon as the

20 Cr Cases

the inquiry is completed and the trust is registered, entries i in Sch.II are required to be made. This Schedule II has 28 columns. Under Rule 5(2) of the B.P.T.Rules, 1951, a copy of this schedule maintained in each P.T.R.Office is required to be kept in my office. I have found that the existing strength of junior clerks is not in a position to cope up with the heavy work. I had, therefore, asked the Dy. and A.C.C.s to furnish data regarding the time taken for the scrunity of an application for registration, making entries in the Register of Public Trusts, etc. The aberage time taken for the clerical work is indicated below:-

	Minutes.
i) Scrutinising an application under (a) Sec. 18	10.2
(b) Sec. 23	16.6
ii) Writing a notice form ...	5.4
iii) Writing an address on an envelope containing a notice form, including entries in Stamp Register & Outward Register	6.4
iv) Preparing daily board and writing rozanama	98
v) Preparing registration certificate and its duplicate	4.4
vi) Making an entry in the Register of Public Trusts (Schedule III)	42

The average number of trustees to whom notices have to be sent per trust is 3 to 4. The details given in the form of application are in regional languages and it is necessary to translate the applications into English as Schedule II is maintained in English.

3. In view of the above data, I have come to the conclusion that the existing clerical staff in each office is required to be temporarily strengthened immediately so as to enable the Dy. and A.C.C.s to conduct and complete the inquiry work as early as possible, with a target of 500 inquiries per month. When the clerical staff was originally sanctioned, it was not anticipated that so many applications for

registration would be received and that it would be necessary to conduct inquiries in as many as 44000 trusts. Moreover, the income from contribution will only accrue after the trust is registered under the Act. The question of strengthening the clerical staff was discussed by me and the Deputy and Asstt. C.C.s with the Secretary, L.D., in the first week of this month and the Secy., L.D., was convinced that this was absolutely necessary.

4. In the circumstances, it is requested that for the P.T.R. Office, G.Bombay Region, Bombay, 4 temporary posts of junior clerks in the scale of Rs.75-5-140-E.B. -6-200 and 10 temporary posts of junior clerks (two for each of the five P.T.R. Offices at Ahmedabad, Baroda, Poona, Kolhapur and Belgaum) may be sanctioned for a period of 9 months only from the date of actual appointments. I have proposed four junior clerks for the Bombay Region in view of the fact that there are two inquiry officers (1 Dy. C.C. and 1 Asstt. C.C.) these posts are required for a specific period and only on a temporary basis so as to accelerate the completion of inquiry work. As the posts are temporary and proposed to be created for a specific period, there would be no need to show these papers to the E.P.C. and to bring the expenditure to the notice of the L.A. by means of a supplementry demand. The cost involved in the proposal amounts to Rs. 13942/- as shown below:-

	Pay	D.A.	C.L.A.	H.R.A.
4 Jr. Clerks (Rs.75-200) ..	2700	1620	-	-
10 Jr.Clerks (Rs.46-130) ..	4950	4050	90	432
Total ..	7650	5670	90	432

5. The cost on account of the pay and allowances of the 4 junior clerks for the P.T.R. Office, Greater Bombay Region, Bombay, will have to be initially debited to "25-General Admini. C-Sectt & Headquarters Estt.-K-Sectt. & K-7(a)-C.C." and reimbursed to Government form the P.T.A.Fund at the end of each financial year. As regards the cost of pay and allowance of the 10 junior clerks, the same will have to be intially debited to "25-Genl.Admin-K-Distt. Admn-Q-Genl. Estts.-Q.

(1)(c) - Regional Staff of C.C.* and reimbursed to Govt. from the P.T.A. Fund at the end of the financial year. There will be no extra cost to Government as the expenditure in question is ultimately met form the P.T.A. Fund. The extra expenditure during the current financial year will be met form the sanctioned budget grants. So far as the provision on this account for the next -financial year is concerned, a supplementary provision will be proposed for inclusion in the budget estimates- Part II-A.

6. As the additional staff is required to be sanctioned immediately, requisite orders of Government may please be issued at a very early date.

Charity Commissioner.

Secy., L.D.

Secy., F.D.

SSM
18/6/56.

No19372/C

Legal Department,

Bombay Castle, 20th November 1952.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the creation of-

(a) four posts of junior clerks for Public Trusts Registration office, Greater Bombay Region, in the scale of Rs. 75-5-140-E.B.-6-200 plus dearness allowance admissible: and

(b) ten posts of junior clerks (two for each of the five Public Trusts Registration offices at Ahmedabad, Baroda, Poona, Kolhapur and Belgaum) in the scale of Rs.46-3-85-E.B.-4-125-5-130 plus dearness house rent and compensatory local allowances admissible, for a period of nine months with effect from the date of their respective appointments.

2. The expenditure for the current year should be met from this year's sanctioned grants under-

(i) "25-General Administration-C-Secretariate-C-Secretariate & Headquarters Establishment-K-Civil Secretariate-K-7(a)-Charity Commissioner. for item No. (a) above, and

(ii) "25-General Administration-E-District Administration-Q-General Establishment -Q-1(c)-Regional Staff of Charity Commissioner "for item No. (b) above.

By order of the Governor of Bombay,

Assistant Secretary to Government.

The Accountant General, Bombay (through the F.D.)

Copy to -

The Finance Department,

Copy to-

The Finance Department,

The Charity Commissioner, Bombay,

The Dy. Charity Commissioner , for Greater Bombay Region, Bombay,

The Dy. Charity Commissioner for Ahmedabad Region, Ahmedabad,

The Assistant Charity Commissioner for Baroda Region, Baroda,

The Assistant Charity Commissioner for Poona Region, Poona,

The Assistant Charity Commissioner for Belgaum Region, Belgaum,

The Assistant Charity Commissioner for Kolhapur Region, Kolhapur.

'18/856

Office of the Charity Commissioner, Bombay.

Submitted.

2. Shri C.N.Aswani has been appointed to one of the two posts of Accountants in the P.T.R.Office, Greater Bombay Region, Bombay, with effect form 7-2-1952. The payscale of the Accountant's post is Rs. 160-10-240. The question of fixation of Shri Aswani's pay in the scale of Rs. 160-10-240- is proposed to be taken up in the succeeding paragraphs.

3. Prior to his appointment in this Organization, Sh Shri Aswani was officiating as a Senior Acccuntant in the scale of Rs. 200-15-245 in the civil supplies Department (Famine and Hay Section) and was drawing Rs.200 p.m. He joined the Civil Supplies Department on 1-2-50 as a Deputy Accountant on Rs. 140/- p.m. in the scale of Rs. 140-10-200 in the office of the Director of Civil Supplies (Accounts). On 5-2-51 he was promoted to the post of Senior Acccuntant in the scale of Rs. 200-15-245.

4. Shri Aswani is a displaced person from West Pakistan and was permanent Head Clerk and Accountant in the Education Department of the Sind Government. He is a matriculate and has passed the School Boards Accountant's Examination held by the Public Service Commission and has 19 years' service to his credit. His work in the Civil Supplies Department is reported to be satisfactory and on the strong recommendations of the Director of Civil Supplies (Accounts), he was been taken up in this Organization.

5. Shri Aswani was a permanent Head Clerk and was drawing Rs. 150 plus Rs. 5 (personal pay) in the scale of Rs.120-10-220 prior to his joining the Civil Supplies Department. His initial pay in the post of Deputy Accountant in the scale of Rs.140-10-200 in the Civil Supplies Department should have been fixed at Rs. 150 plus Rs. 5 p.p. on 1-2-1950, vide G.R.,P.&S.D., No. 1868/46, dated 5-1-48. This does not seem to have been done. Assuming that he came to this Organization on 7-2-52 form Pakistan Government and excluding his service in the Civil Supplies Department, he would have drawn Rs. 170 p.m. on 6-2-52 in Pakistan Government service. If the orders issued in G.R.,P.& S.D., No. 1868/46, dated 5-1-48 are made applicable to his case, his pay will have to be fixed at Rs. 180/- with effect from 7-2-52 as the scale of Rs. 160-10-240 is higher than the scale of Rs. 160-10-240 120-10-220, vide B.C.S.Rule 41. He will be entitled to an increment of Rs.10/- p.m. raising his pay to Rs. 190/- p.m. with effect from 26-5-52, the date of his usual increment in Pakistan Government service. No doubt, it is true that the fixation of his pay cannot be regulated under the P.& S.D.G.R. referred to above as he has not been absorbed in this Organization as a displaced person from Pakistan but has been taken up from the Civil Supplies Department. It is proposed to stretch the P. & S.D. orders so as to determine his initial pay as this does not seem to have been done by the Civil Supplies Department. Moreover it has to be borne in mind that he was actually drawing an officiating pay of Rs. 200/- p.m. in the scale of Rs. 200-15-245 with effect from 5-12-1951 in the Civil Supplies Department, and it would be in the fitness of things that his pay is at least fixed at Rs. 190 as suggested. Fixation of his initial pay at Rs. 190/- p.m. will also mean that due regard has been paid to his good service and the past experience which he has gained under the Pakistan Government. It will not be out of place to mention that the Deputy Chastity Commissio-

G.B.R., Bombay, under whom Shri Aswani is working since 7-2-52 has found him to be a good, sincere and very useful Accountant.

6. In the circumstances, these papers may be referred to the L.D. with a request to fix the initial pay of Shri Aswani at Rs. 180/- p.m. in the scale of Rs. 160-10-240 with effect form 7-2-52 and at Rs. 190/- p.m. from 26-5-52, the date of his increment in consultation with the F.D.

N.C.

C.C.

L.D.

No. 20956/C

Legal Department,
Bombay Castle (Bombay No.1), 13th Dec., 1952.

To

The Charity Commissioner, Bombay.

Subject:- Fixation of pay of Shri C.N. Aswani in one of the posts of Accountants in the P.T.R. Office, Greater Bombay, Region.

Sir,

I am directed to inform you that the Government is unable to give Shri C.N. Aswani higher starting pay and that he should be given the minimum of the time-scale. Shri Aswani has now been benefitted by his transfer form a purely temporary post to a permanent post.

Yours faithfully,

Assistant Secretary to Government

SSM/ 1866/56.

No. 4405 of 1952.

Office of the Charity Commissioner,
Bank of India Building, 4th floor,
Flora Fountain, Fort, Bombay No. 1
Dated: 25th November 1952.

From

Shri D.R. Pradhan, I.C.S.
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay

Sub:- Creation of a temporary post of a part-time Sweeper for the Public Trusts Registration Office, Baroda.

Sir,

I have the honour to state that under Government Resolution, Legal Department, Nos. 7599 & 13318, dated 14th May 1951 and 20th August 1951, respectively, one post of Naik, 4 posts of peons and one post of temporary peon have, inter alia, been sanctioned for the Public Trusts Registration Office, Baroda Region, Baroda. In accordance wiht the general orders issued in Government Resolution, Finance Department, No. 7983/33, dated 20th May 1952, the one temporary post has been retrenched with effect from 1st August 1952, Vide Government Memorandum, Legal Department, No. 13440, dated 18the August 1952. Thus the class IV servants in that office comprise of 1 Naik and 4 peons only. The Asstt. Charity Commissioner being a touring officer, will have a Naik and one peon and two peons will be with the two Inspectors whenever they go on tour. Thus there will be only one peon for the entire office which has a clerical staff of 7 members (including 2 Inspectors). It will not be possible for a single peon to do the office delivery work and faras work during the whole day.

2. The Asstt. Charity Commissioner has recommended

2. The Asstt. Charity Commissioner has recommended that a part-time post of a farash or sweeper may be sanctioned for his office and adds that there is a similar post of a part-time sweeper in the Treasury Office, Baroda, who is paid Rs. 10/- as pay and Rs. 14/- as dearness allowance, per month, out of the Contingent grant.

3. As there is no peon or any watchman sanctioned to the Public Trusts Registration Office, Baroda Region, who can be asked to do the sweeping work, the request of the asstt. Charity Commissioner, Baroda, for creating a part-time sweeper's post is reasonable. It is therfore requested that a temporary post of part-time sweeper on the pay of Rs. 10/- and Rs. 14/- dearness allowance may be created for a period of one year, in the first instance. The annual average cost involved in the proposal would come to Rs. 288/- and it would be possible to meet the extra cost form the sanctioned grant under "25-General Administration-E-District Administration-Q-General Establishments-Q-1(c)-Regional #Staff of Charity Commissioner-Q-1(c)(4)- Contingencies" during the current year. The same will be reimbursed to Government form the Public Trusts Administration Fund at the end of the financial year.

Yours faithfully,

Charity Commissioner, 25-11-52.
Bombay.

SSM/ 1666/56.

No. 2195/3/C

Legal Department,
Bombay Castle (Bombay No.1), 29th Dec. 1952

To

The Charity Commissioner, Bombay.

Subject :- Creation of a temporary post of a part time Sweeper for the Public Trusts Registration Office, Baroda.

Sir,

With reference to your letter No. 4405, dated the 25th November 1952, on the above subject, I am directed to inform you that there are no sufficient grounds to create a part time post of a sweeper for the Public Trusts Registration Office, Baroda. The work should be managed by the peon as the farash work is not required to be done for the whole day. Government is, therefore, unable to sanction the proposal.

Yours faithfully,

For Secretary to Government.

SSM/ 18/6/56.

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Legal Department.

Revised draft rules are sent herewith.

2. It is presumed that when appointment to the post of a Superintendent (Regional Office) is to be made, preference is to be given, as in the case of other posts, to persons with Legal qualifications.

Additional Secretary to Government.

To R.R. to Charity Commissioner, No. 7117, dated the 6th May, 1952.

SSM / 18/6/56.

Office of the Charity Commissioner.

Seen and returned.

2. The presumption made by L.D. in para 2 of the U.R.No. 7114 dated 6-5-52 is correct.

3. The L.D. may now pass on these papers to the political and Services Department for approval of Government.

Charity Commissioner.

U.R. to L. D. No. 1293 Dated 10th May, 1952.

Legal Department.

Submitted

These papers may now be passed on to the P.S.D. for submission to Govt.

U.R. to P&S.D. No. 3123 dated 15th May, 1952.

POLITICAL AND SERVICES DEPARTMENT

Bombay Castle 1952.

No. - In exercise of the powers conferred by the proviso to article 309 of Constitution of India, the Governor of Bombay is pleased to make the following rules, to regulate the methods of recruitment to posts of Inspectors and other subordinate officers to be appointed under the Bombay Public Trusts Act, 1950 (Bom. XXIX of 1950), namely:-

Superintendent (Head Office).

1. Appointment shall be made -

(A) by promotion from among subordinates in the Chairty Organization, preference being given to persons with legal qualifications; or

(B) by nomination from among candidates who -

(i) are possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 3 years standing, or

(b) have at least 5 years' administrative esperience in a responsible position in either Government or semi-Government offices,

and

(ii) are, unless they are already in Government service, not more than 35 years of age; or

(C) by transfer from among persons with at least 20 years' experience in the subordinate judicial service of the Government of Bombay, preference being givent to persons with legal qualifications.

Superintendent (Regional Office)

2. Appointment shall be made -

(A) by promotion from among subordinates in the Charity Organization, preferance being given to persons with legal qualifications; or

~~(B) by nomination fro among candidates he-~~

(B) nomination from among candidates who -

(i) possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 2 years' standing, or

(b) have at least 5 years' administrative experience in a responsible position in either Government or semi-Government Offices;

and

(ii) are, unless they are already in Government service, not more than 30 years of age; or

(C) By transfer from among persons with at least 15 years' experience in the subordinate judicial service of the Government of Somaly, preference being given to persons with legal qualifications.

Legal Assistant.

3. Appointment shall be made-

(A) by promotion from among subordinates in the Charity Organization who are law graduates; or

(B) by nomination from among candidates who -

(i) possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 5 years standing, or

(b) have at least 5 years' administrative experience in a responsible position in either Government or semi-Government Offices;

Provided that the qualification of administrative experience may be dispensed with if the candid te possesses a first class degree in law;

and

(~~two~~)
(ii) are not less than 23 years of age and, unless they are already in Government service, not more than 30 years of age; or

(C) by transfer form among persons with at least 15 years' experience in the subordinate judicial service of the Government of Bombay, preference being given to persons with legal qualifications.

Bench., Judicial or Senior Clerks.

4. Appointments shall be made.-

(A) by promotion from among junior clerks in the Charity Organization, or

(B) by nomination form among candidates who-

(i) possess at least a second class degree in law or commerce of a recognized University; and

(ii) are, unless they are already in Government service, not more than 27 years of age, or

(C) by transfer form among members of the subordina - te judicial service of the Government of Bombay who are eligible for promotion to similar posts or a high r grade in the parent department

Provided that the candidates shall be on probation for one year in the first instance and may be confirmed at the expiry of that period only if he is able, to the satisfaction of the Charity Commissioner or the Deputy Charity Commissioner or the Assistant Charity Commissioner, as the case may be, to interpret to him at the inquiries held by him the depositions in any two or more of the following languages

languages as may be required in his office:-

(1) Hindi.
(2) Gujarathi.
(3) Kannada.
(4) Marathi.

Inspectors.

5. Appointments shall be made-

(A) by promotion ~~fere~~ from among junior clerks in the Greater Bombay offices and senior clerks in the mofussil regional offices in the Chairty Organization, preference being given to candidates with accounts qualifications or experience; or

(B) by nomination for among candidates who-

(i) possess a degree in law or commerce of a recognized University, having taken accountancy subjects in the case of a commerce degree; and

(ii) are, unless they are already in Government service, not more than 27 years of age; or

(C) by transfer from among members of the subordinate judicial service of the Government of Bombay who are eligible for promotion to a grade in the parent department not lower than grade of an Inspector in the Charity Organization.

Accountants.

6. Appointments shall be made-

(A) by promotion form among subordinates in the Charity Organization, preferably with accounts qualifications; or

(B) by nomination from among candidates, who-

(i)(a) have passed the Final B.A. Examination held under the Auditors' Certificate Rules, 1932, or have passed the Final

Final Examination held by the Council of the Institute of Chartered Accountants of India, or possess a second class degree in commerce of a recognized University with Accountancy as a principal subject; or

(b) possess a Degree in Commerce of a recognized University with Accountancy as a principal subject, and have at least three years' experience in accountancy in a Government or semi-Government Office; or

(c) are persons with long experience and proved merit and efficiency in accountancy work either in commercial firms or Government or semi-Government offices;

and

(ii) are not less than 23 years of age, and, unless they are already in Government service, not more than 28 years of age in the case of candidates referred to in (i) (a), and (i) (b) ~~(not more than 23 years of age in the case of those referred to in (i) (b))~~ and not more than 45 years of age in the case of those referred to in (i)(c) above; or

(C) by transfer from among members of the subordinate judicial service of the Government of Bombay who are eligible for promotion to a grade in the parent department not lower than the grade of Account in the Charity Organisation.

By order of the Governor of Bombay

Chief Secretary to Government.

No. 2843 of 1952.

Office of the Charity Commissioner,
Bank of India Building, 4th fl.
Flora Fountain, Fort, Bombay. 1
Dated: 12th Sept. 1952.

From

Shri D.T.Pradhan, I.C.S.,
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Subject :- Recruitment Rules for the Subordinate posts in Charity Commissioner's Organization.

Sir,

I have the honour to invite attention to Rule 6 regulating the methods of recruitment to posts of Accountant's in this Organization sanctioned in Government Resolution, Legal Department, No. 10332, dated 20th June 1952, and to state as under :-

2. Rule 6(B)(i)(a) lays down that appointments shall be made by nomination from among candidates who have passed the Final R.A.Examination held under the Auditors' Certificate Rules, 1932, or have passed the Final Examination held by the Council of the Institute of Chartered Accounts of India, or possess a Second class degree in Commerce of a recognized University with Accountancy as a principal subject. In the case of candidates who have passed the Final R.A. Examination under the Auditors' Certificate Rules, 1932, or have passed the Final Examination held by the Council of Chartered Accounts of India, and in addition, who possess a Second class Degree in Commerce of a recognized University as a principal subject, no age limit has been laid down in Rule 6(B)(ii). A Commerce graduate has to spend four years as an articled clerk. In the case of such candidates, the age limit should be 28 years.

In the case of such candidates, the age limit should be 28 years in the circumstances, it is requested that Rule 6(B)(i)(b) may be amended as indicated below so as to bring the R.A. qualification with graduation on par with the experience of 3 years in case of a Commerce ~~of a recognised~~ graduate :-

"possess a Degree in Commerce of a recognised University with Accountancy as a principal subject and (i) have at least three years' experience in accountancy in a Government or semi-Government office or (ii) have passed the Final R.A.Examination held under the Auditors' Certificate Rules, 1932, or have passed the Final Examination held by the Council of the Institute of Chartered Accountants of India; or

3. As a result of the above amendment, the case of Commerce graduates possessing the R.A. qualification, etc., will be covered by the recruitment rule.

4. In the circumstances, it is requested that the amendment to the recruitment rule proposed in para 2 above may be sanctioned at an early date.

Yours faithfully,

Charity Commissioner, Bombay.

Legal Department.

Rule 6(B)(1)(b) of the Recruitment Rules for Charity organization provides inter alia for appointment to the post of accountant by nomination among candidates who possess a Degree in Commerce of a recognized University with Accountancy as a principal subject and have atleast three years' experience in accountancy in a Government or semi-Government Office. It is now proposed by the Charity Commissioner that the appointment to the said post should be made from among candidates who are commerce graduates of a recognized University with Accountancy as principal subject and

(i) have atleast three years' experience in accountancy in a Government of Semi-Government Office, or

(ii) have either passed the final R.A. Examination held under the Auditors Certificate Rules 1932 or have passed the Final Examination held by the Council of the Institute of Chartered Accountants of India.

2. The amendment is in order .

3. These papers may now be passed on to the P.& SS D. for submission to Government for sanctioning the above amendment.

"POLITICAL AND SERVICES DEPT.,

'D' BRANCH"

Rule 6(B) which it is proposed to amend is laready cumbersome and if it is amended further it will become still more cumbersome. The present proposal has become necy. because different age-limits have been prescribed for candidates with different qualifications. Prescribing of different age-limits in respect of one and the same post according to the academic qualifications is not correct in principle. This point was overlooked when the rules were scrutinized earlier. The proper course- and this is generally done -- is to prescribe a general age-limit which should hold good in respect of all types of academic qualifications. Thus it is not usual to prescribe different age-limits in respect of one and the same post for with whthose with graduate and postgraduate qualifications, i.e. an age-limit higher than that prescribed for those with graduate qualifications in respect of one and the same post. Even in respect of the other posts recruitment rules for which have been sanctioned by G.R., L.D., No. 10382, dated the 20.6.1952 different age-limits varying with the educational qualifications have not been prescribed in respect of one and the same post. The fact is that when we prescribe alternate educational qualifications in respect of one and the same post as in the present case the alternate qualifications are treated as equivalent and it would be anomalous to prescribe different age-limits with reference to each of this.

In the circumstances the proper course would be to keep rule 6(B)(i) (b) as it is and to revise rule 6 (B)(ii)as follows:-

"are not less than 23 years of age and, uless they are already in Govt. service, not more than 28 years

not than 28 years of age in the case of those referred to in (i)(a) and (i)(b) and not more than 45 years of age* of in the case of those referred to in (i)(c) above; or".

If approved the rule may be amended accordingly. Those who possess a degree in commerce with a pass class and have in addition passed the R.A. etc., exam. (-these are the persons the Charity Commr. has in view) will be covered by clause (i)(a) since they ahve passed the R.A. etc., exam. and need not be brought specifically under clause (i)(b). (The age-limit for all will be 28 years, which is the age-limit contemplated by the Charity Commissioner). In short the age-limti prescribed for all candidates possessing the alternative aca demic qualifications will be the same. (28 years) and appointing authority can make the selection on merit. Ordinarily the appointing authority will prefer a candidate with a higher qualification and the fact that a candidate with a lower qualification gets the advantage of the same age-limit as a candidate with a higher qualification is not material. For example in the case of the Sub. Sectt. Service the age-limit prescribed is25 years and applies both to graduates and those with post graduate qualifications. Candidates with post graduate qualifications have on merit a better chance for selection though no higher age-limit is prescribed for them.

U.R. to the Charity Commr. dated 30/10/.

Office of the Charity Commissioner.

Submitted with reference to this office letter No. 2843, dated 12.9.1952, wherein we had requested Government to amend recruitment rule 6(B)(i)(b) for the subordinate posts in the Charity Commissioner's Organization so as to cover the case of Commerce graduates possessing the B.A. qualifications etc., in respect of upper age limit. Please see P. & S.D. note dated 29-10.1952. That deptt. has accepted the principle underlying our proposed amendment but has suggested amendment of rule 6(B)(ii) instead of rule 6(B)(i)(b) proposed by us. The reason stated by the P.& S.D. is that there is no need to prescribe different age limits with reference to alternate educational qualifications. It is further added that the alternate qualifications in respect of the one and the same post are required to be treated as equivalent. The effect of the amendment suggested by the P. & S.D. is that a candidate with a lower qualification gets the advantage of the same age limit, viz., 28, as a candidate with a higher qualification; this advantage is however not material (~~as the selection; this advantage is however not material~~) as the selection of a candidate is made on merits.

2. In view of what is stated above, we may accept the P. & S.D. suggestion to amend rule 6(B)(ii). The papers may be returned to that deptt. with the foregoing remarks

D of A.

E.O.

C.C.

SSH/ 19/6/56.

Legal Department.

Rule 6(3)(1)(b) of the Recruitment Rules for Charity organisation provides for appointment to the post of accountant by nomination among candidates who possess a Degree in Commerce of a recognized University with Accountancy as a principal subject and have at least three years' experience in accountancy in a Government or semi-Government Office. It is now proposed by the Charity Commissioner that the appointment to the said post should be made from among candidates who are commerce graduates of a recognized University with Accountancy as principal subject and

(i) have atleast three years' experience in accountancy in a Government or Semi-Government Office, or

(ii) have either passed the final A.A. examination held under the Auditors Certificate Rules 1932 or have passed the Final Examination held by the Council of the Institute of Chartered Accountants of India.

These papers may now be passed on to the P. & A.D. for submission to Government for sanctioning the above amendment.

Bombay Public Trusts Act, 1950

Rules regulating the methods of recruitment to posts of Inspectors and other subordinate officers to be appointed under the- in the Charity Organization.

GOVERNMENT OF BOMBAY.

Legal Department.

Resolution No. 2486/C

Bombay Castle, 6th February 1953.

Resolution of Government.

Resolution:- In supersession of orders issued in Government Resolution, Legal Department No. 10332, dated the 20th June 1952, Government is pleased to approve the appended rules regulating the methods of recruitment to posts of Inspectors and other subordinate officers to be appointed under the Bombay Public Trusts Act, 1950.

2. The Political and Services Department should take the necessary steps to publish the said rules in the Bombay Government Gazette in due course.

By order of the Governor of Bombay,

Secretary to Government.

To

The Charity Commissioner, Bombay.
The Political and Services Department.

SSM / 19/6/56.

POLITICAL AND SERVICES DEPARTMENT.

Bombay Castle, 1953.

No. - In exercise of the powers conferred by the proviso to article 309 th of the Constitution of India, the Governor of Bombay is pleased to make the following rules, to regulate the method of recruitment to posts of Inspectors and other subordinate officers to be appointed under the Bombay Public Trusts Act, 1950 (Bom.XXIX of 1950), namely:-

Superintendent (Head Office).

1. Appointment shall be made-

(A) by promotion from among subordinates in the Charity Organization, preference being given to persons with legal qualifications; or

(B) by nomination form among candidates who-

(i) possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 3 years standing, or

(b) have at least 5 years' administrative experience in a responsible position in either Government or semi-Government offices;

and

(ii) are, unless they are already in Government service, not more than 35 years of age; or

(C) by transfer form among persons with at least 20 years' experience in the subordiante judicial service of the Government of Bombay, preference being given to persons with legal qualifications.

Superintendent (Regional Office)

2. Appointment shall be made-

(A) by promotion form among subordinates in the Charity Organization, preference being given to

preference being given to persons with legal qualifications; or,

(B) by nomination from among candidates who-

(i) possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 2 years standing, or

(b) have atleast 5 years' administrative experience in a responsible position in either Government or Semi-Government Offices;

and

(ii) are, ~~else~~ unless they are already in Government service, not more than 30 years of age; or

(B) by transfer form among persons with at least 15 years' experience in the subordinate judicial service of the Government of Bombay, preference being given to persons with legal qualifications..

Legal Assistant.

3. Appointment shall be made-

(A) by promotion from among subordinates in the Charity Organization who are law graduates; or

(B) by nomination form among candidates who-

(i) possess at least a second class degree in law of a recognized University, and

(a) are practising lawyers of not less than 2 years standing, or

(b) have at least 5 years' administrative experience in a responsible position in either Government or Semi-Government Offices:

Provided that the qualification of administrative experience may be dispensed with if the candidate possesses a first class degree in law;

and

(ii) are not less than 23 years of age and, unless they are already in Government Service, not more than 30 years of age; or

~~(b) by transfer from among persons with at least 15~~

(C) by transfer form among persons with atleast 15 years' experience in the subordinate judicial service of the Government of Bombay, preference being given to persons with legal qualifications.

Bench, Judicial or Senior Clerks.

4. Appointments shall be made-

(A) by promotion from among junior clerks in the Charity Organization, or

(B) by nomination form among candidates who-

(i) po sess at least a second class degree in law or commerce of a recognized University; and

(ii) are, unless they are already in Government service, not more than 27years of age, or

(C) by transfer from among members of the subordinate judicial service of the Government of Bombay who are eligible for promotion to similar post or a higher grade in the parent department: Provided that the candidates shall be on probation for one year in the first instance and may be confirmed at the expiry of that period only if he is able, to the satisfaction of the Charity Commissioner or the Deputy Charity Commissioner or the Assistant Charity Commissioner, as the case may be, to interpret to him at the inquiries held by him languages as may be required in his office:-

(1) Hindi (3) Kannada.

(2)Gujar ti. (4) Marathi.

Inspectors shall be made-

Inspectors.

5. Appointments shall be made-

(A) by promotion from among junior clerks in the Greater Bombay offices and senior clerks in the mofussil regional office in the Charity ~~Orginatien~~ organization, preference being ~~in the Charity Or~~ given to candidates with accounts qualifications or experience; or

(B) by nomination from among candidates who-

(i) possess a degree in law or commerce of a recognized University, having taken accounts subjects in the case of a commerce degree; and

(ii) are, unless they are already in Government service not more than 27 years of age; or

(C) by transfer form among members of the subordinate judicial service of the Government of Bombay who are eligible for promotion to a grade in the parent department not lower than the grade of an Inspector in the Charity Organization.

Accountants.

6. Appointments shall be made-

(A) by promotion from among subordinates in the Charity Organization, preferably with accounts ~~qua~~ qualifications or

(B) by nomination form among candidates, who-

(I)(a) have passed the Final R.A. Examination held under the Auditors' Certif cate Rules, 1952, or have passed the Final Examination held by the Council of the Institute of Chartered Accountants of India, or possess a Second class degree in Commerce of a recognized University with Accountancy as a principal subject; or

(b) possess a Degree in Commerce of a recognized University with Accountancy as a principal subject, and have at least three years' experience in accountancy in a Government

accountancy in a Government or semi-Government Offices; or

(c) are persons with long experience and proved merit and efficiency in accountancy work either in commercial firms or Government or semi-Government offices; and

(ii) are not less than 23 years of age, and unless they are already in Gover ment service, not more than 28 years of age in case of candidates referred to in sub-clauses (i)(a) and (i)(b) and not more than 45 years of age in the case of those referred to in subclause (i)(c);or

(C) by transfer form among members of the subordinate judicial service of the Government of Bombay who are eligible for promotion to a grade in the parent department not lower than the grade of Accountant in the Charity Organization.

By order of the Governor of Bombay,

Chief Secretary to Government.